

**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-167/SM-333/174  
Post & E-mail

Dated: 13.01.2023

**Suo-moto Notice**

To

Sh. Jitender Gill,  
Naib Tehsildar, Kalka, District- Panchkula, 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. Sh. Virender Singh had submitted a complaint vide e-mail dated 18.08.2022 (copy encl.) regarding pending sanction/rejection of mutation no.2953 dated 01.03.2019 of Khasra no. 53 & 54 of Village Ishlam Nagar. Taking cognizance of the issue as it is a notified service at serial no. 5 namely Attestation of uncontested Mutation (under Department of Revenue) with notified timeline of 30 days, a letter no. 3646 dated 30.08.2022 followed by reminder dated 28.09.2022 were sent to the Tehsildar, Tehsil Kalka, District Panchkula, Haryana to take cognizance and furnish action taken/ status



report to the Commission by 16.09.2022 and 13.10.2022 respectively. In reference, memo no.973 dated 12.10.2022 was received vide which it was informed that village Islam Nagar, Nagal Sodiya and Mirapur Wakshiwala were occupied by Haryana Shehari Vikas Pradhikaran in year 2008 for which an award was granted in the year 2010 but for these Villages occupation award report wasn't submitted in the Tehsil Office. The Commission observed that as after land is acquired for HSVP by the LAO, it is the responsibility of the EO, HSVP to get the mutations done so as to secure the land in official record. Therefore, a report was sought from the EO, Panchkula in this regard vide letter dated 03.11.2022. In reference, memo no.5817 dated 04.11.2022 was received vide which it was informed that they are following up with revenue department for mutation and wrote multiple time for the same and to DC too but it was kept pending due to small clerical mistakes. Therefore, a report was sought from DC, Panchkula in this regard vide letter dated 17.11.2022 followed by reminder dated 08.12.2022 to look into the matter and submit a report to the Commission by 30.11.2022 and 18.12.2022 respectively. In reference, memo no.7468 dated 22.12.2022(copy encl.) was received from the DC, Panchkula. On perusal of the same it was found that you were responsible for the delay of around 7 months (for period mentioned in the enclosed list) in dealing this case. Therefore, a suo-moto notice is hereby issued to you, Sh. Jitender Gill, Naib Tehsildar, Kalka, District Panchkula, Haryana to ascertain the reasons for delay in delivery of notified service beyond the prescribed timelines and and to further decide as to why a penalty of ₹ 20,000 may not be imposed upon you and a compensation of ₹5000 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. Jitender Gill, Naib Tehsildar, Kalka, District Panchkula, Haryana are directed to furnish the reply pertaining to this case by 27.01.2023 through email at [rtsc-hry@gov.in](mailto: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. Jitender Gill, Naib Tehsildar, Kalka, District Panchkula, Haryana 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 01.02.2023 for further proceedings in this inquiry.

BY 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](mailto:rtsc-hry@gov.in)

**Endst. No HRTSC/ File no. 167 / SM-333 / 175**

**Dated: 13.01.2023**

A copy is forwarded to Sh. Virender Singh (complainant) to inform him to be present through VC during hearing.

(Hitender Kumar, HCS)  
Secretary  
For Haryana Right to Service Commission  
E-mail: [rtsc-hry@gov.in](mailto:rtsc-hry@gov.in)