

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

No. HRTSC/ ~~F~~ ~~A~~ ~~e~~-173 / SM-362 / 1365
Post & E-mail

Dated: .03.2023

3rd Apr '23

Suo-moto Notice

To

Sh Suresh Kumar,
Gram Sachiv, Karnal

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;

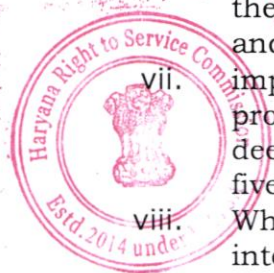
Provided that before making such a recommendation, the Commission shall consult the Administrative Secretary in-charge of the Department which is to deliver the service;

- 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. Salinder Kaur had submitted a complaint vide letter dated 06.08.2022 (copy encl.) regarding the issuance of corrected BPL Ration Card instead of 2 separate ration cards issued to her family (1 for her husband in OPH category and the other one for the complainant and her daughter in APL category), which



was pending with the DFSC, Ambala since 01.10.2019. Taking cognizance of the issue as it is a notified service at serial no. 128(i) under the Food, Civil Supplies and Consumer Affairs Department with notified timeline of 22 days, multiple reports were sought from the DFSC Ambala, CRID & DFSC Departments. After due consideration of all the responses received in the matter, a suo-moto notice dated 10.03.2023 (copy encl.) was issued to Sh. Vishal Prashar, the then BDPO, Shehzadpur (now BDPO Barwala) on whose report, the complainant's name was deleted from the BPL list. In reference, memo no. 821 dated 21.03.2023(copy encl.) was received from him wherein it was stated by the erstwhile BDPO, Shahzadpur that the recommendation for deletion of the complainant from the BPL list initially was as per the report received from the Gram Sachiv Sh Suresh Kumar & Patwari Sh. Lajja Ram. After the complaint was raised again in the ADC Office, the complainant was found eligible in the next survey by the Gram Sachiv & Patwari, following which the recommendation for inclusion in BPL list was sent to the ADC Ambala on 01.09.20. Therefore, a suo-moto notice also issued to Patwari Sh. Lajja Ram and further, a suo-moto notice is hereby issued to you, Sh Suresh Kumar, Gram Sachiv to 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 leading to delay in the delivery of a notified service.

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 Suresh Kumar, Gram Sachiv are directed to furnish the reply pertaining to this case by **17.04.2023** through email at 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 Suresh Kumar, Gram Sachiv to appear before Shri T.C. Gupta, Chief Commissioner of Haryana Right to Service Commission, either in person or through Video-Conference at **10:30 AM** on **21.04.2023** for further proceedings in this inquiry.

BY ORDER OF THE HARYANA RIGHT TO SERVICE COMMISSION AT CHANDIGARH.

Encl: As above



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

Endst. No HRTSC/ File No. 173/SM - 362/1366

Dated: 03.03.2023
3rd April '23

A copy is forwarded to Smt. Salinder Kaur (complainant) to inform her to be present through VC during hearing.

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