



HARYANA RIGHT TO SERVICE COMMISSION
S.C.O. No. 38 & 39 (2nd FLOOR), SECTOR 17-A, CHANDIGARH-160017
E-mail: - <https://haryana-rtsc.gov.in/> Telephone: 0172-2711050

No. HRSC-020008/131/2025/3244

Dated: 07th Aug 2025

To

The Deputy Commissioner,
Sonipat.
E-mail: dcsonp@hry.nic.in

The Civil Surgeon,
Sonipat.
E-mail: dhs.cssnp@hry.nic.in

Sh. Mukesh,
Sub Registrar (Birth-Death),
Municipal Corporation, Sonipat.
E-mail: cmcsnpt@gmail.com

Subject: Review application of Sh. Mukesh, Sub Registrar (Birth-Death), Municipal Corporation, Sonipat in respect of Revisions no. AAS25/1594406-Sandeep, AAS25/1590312- Kanta Devi & AAS25/1585338- Nitin Luthra- Final orders.

I am directed to invite reference to the subject cited above and to send herewith a copy of final orders dated 04.08.2025 passed by Sh. T. C. Gupta, Chief Commissioner, Haryana Right to Service Commission for information and necessary action, please.

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(Sube Khan)

Under Secretary-cum-Registrar,
Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in



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Final Orders

[Review application of Sh. Mukesh, Sub Registrar (Birth & Death), Municipal Corporation, Sonipat in respect of Revision no. AAS25/1594406- Sandeep, AAS25/1590312- Kanta Devi & AAS25/1585338- Nitin Luthra - Service-Application for Issuance of Birth/Death/Non-Availability Certificate (RTS - 30 Days), Municipal Corporation, Sonipat]

Hearing date: 04.08.2025

Time: 11:15 am

1. A review application under section 10 of the Haryana Right to Service Act, 2014 (hereinafter referred to as the 'Act') was received from Sh. Mukesh, Sub Registrar (Birth-Death), Municipal Corporation, Sonipat. The SGRA-cum-Deputy Commissioner, Sonipat had imposed a penalty of Rs. 500/- each in three Revisions (AAS25/1594406- Sandeep, AAS25/1590312- Kanta Devi and AAS25/1585338- Nitin Luthra) on the Sub-Registrar (Birth-Death), Municipal Corporation Sonipat. In the review application, the officer has requested a waiver of penalties on the grounds that the applicants' issues have been resolved and satisfaction letters have been submitted. He has further stated that the SARAL portal had been non-functional for the past two months and that he did not receive the show cause notice from the SGRA, as the email address used for communication was not operational.
2. To decide the review application, an opportunity of hearing was provided to Sh. Mukesh, the Sub-Registrar (B&D) to present his case before Sh. T. C. Gupta, Chief Commissioner, Haryana Right to Service Commission on 04.08.2025 at 11:15 a.m. vide Commission's letter no. 3045 dated 25.07.2025.
3. The hearing was conducted as scheduled and was attended by Sh. Mukesh, Sub Registrar (Birth-Death), Municipal Corporation, Sonipat. During the proceedings, he submitted the following:
 - (i) In the case of Sandeep, there was a spelling mistake in the name which was corrected later on.
 - (ii) In the case of Kanta Devi, birth certificate was issued accidentally instead of death certificate and the corrected certificate has been issued subsequently.

- (iii) In case of Nitin Luthra, incorrect name, DOB and address were recorded which have been subsequently corrected.

Sh. Mukesh attributed these mistakes to the Data Entry Operator who operates under his login credentials and requested leniency, stating that such errors have occurred for the first time. Regarding non-appearance before the SGRA-cum-Deputy Commissioner, Sonipat, he explained that the communication was sent to an email ID that has been non-functional for the past two years. No physical communication was received and therefore, they were unaware of the proceedings initiated by the SGRA-cum-DC. He acknowledged the lapse that led to the imposition of a penalty by the SGRA-cum-DC and assured that such mistakes will not be repeated in the future.

4. The Commission has carefully considered all the facts and circumstances of this case. It is indeed ironic that despite repeated advisories and directions issued by the Commission, the concerned officers/officials continue to share their login credentials with Data Entry Operators, Clerks and other supporting staff—effectively giving them a free hand to dispose of the cases. This practice has resulted in instances of incorrect resolutions, thereby causing undue hardship and harassment to the public. Consider the plight of a citizen who applies for a death certificate but erroneously receives a birth certificate instead. Naturally, such an individual would be alarmed and would be compelled to visit the Municipal Corporation office in person, meet the concerned officials, reapply and only then obtain the correct certificate. Such an experience starkly contradicts the intended objectives of the faceless service delivery model, designed to offer hassle-free, transparent and seamless services from the comfort of one's home or office. The very purpose of the faceless system is thus defeated in such cases, as is clearly evident from the following:

- (i) **Sh. Sandeep**—In this case, a spelling error was admitted by the appellant himself. However, upon examination of the records, the Commission noted that the applicant had applied under the wrong service category. As a result, a birth certificate was issued with the name field left blank. The applicant had intended to avail the service titled "*Registration of Name of Child in Birth Certificate*" but mistakenly applied for "*Application for Issuance of Birth/Death/NAC*". While the appellant has accepted his mistake, the Commission is inclined to extend the benefit of doubt, considering that the error stemmed from incorrect service selection.

- (ii) **Kanta Devi-** There is absolutely no justification for issuing a birth certificate when the applicant had herself applied for a death certificate. This is nothing but callous and irresponsible functioning which cannot be tolerated under any circumstances.
- (iii) **Sh. Nitin Luthra-** In this case, there is no scope for leniency. All three critical fields—name, date of birth, and address were entered incorrectly by the Data Entry Operator on behalf of the appellant. This forced the applicant to revisit the concerned authorities, reapply, pay the fees again, and face undue inconvenience and harassment, despite having committed no error on his part.

As far as the defunct email id of the office is concerned, this cannot be accepted as a valid defence. It is the responsibility of the concerned officials to ensure that the official email accounts are functional and monitored regularly. In today's digital governance framework, communication through email is legally recognized under the provisions of the Information Technology Act, 2000. Therefore, failure to appear before the SGRA-cum-Deputy Commissioner despite issuance of notice on the pretext of a defunct email ID cannot be justified by any officer/ official.

5. In view of the above, there are no justifiable grounds for accepting the Revision petition submitted by Sh. Mukesh, particularly as he has himself admitted the mistakes in all three cases. However, considering the contributory lapse on the part of the applicant in the case of *Sh. Sandeep*, the penalty order in this specific case is set aside. In the remaining two cases, i.e., those of *Kanta Devi* and *Sh. Nitin Luthra*, the Revision is hereby dismissed. The Civil Surgeon, Sonipat is directed to ensure that the penalty amounts in these two cases are recovered from the salary of Sh. Mukesh for the month of August 2025, payable in September 2025, and deposited into the State Treasury under Receipts Head 0070-60-800-86-51. A compliance report in this regard shall be submitted to the Commission by 10.09.2025, failing which the Civil Surgeon, Sonipat would be required to attend a hearing with the Chief Commissioner, Haryana Right to Service Commission to be held at 10:00 am on 11.09.2025.
6. With regard to the orders issued by the SGRA-cum-Deputy Commissioner, Sonipat, it is observed that they reflect poorly upon review. It appears evident that the responsibility of drafting these orders may have been delegated to the Reader or another subordinate official, rather than being authored by the Deputy Commissioner

himself. The reasoning cited for imposition of penalties is limited merely to the non-submission of replies to the show cause notices and does not include any substantive grounds justifying the penalties. Furthermore, the specific deficiencies in the illustrative cases, as highlighted above, were not even mentioned in the show cause notices issued. Additionally, it is noted that no effort was made to ensure whether the communications issued were duly received by the concerned officials. In light of the above, the Deputy Commissioner, Sonipat is advised to pass reasoned and speaking orders in future, clearly outlining the basis for the imposition of penalties, along with specific acts of omission or commission committed by the concerned officials, so that the rationale behind such actions is evident on the face of the order.

With these orders, these three Review applications are hereby disposed of.

4th August, 2025

