

Through e-mail only



HARYANA RIGHT TO SERVICE COMMISSION

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

Website- <https://haryana-rtsc.gov.in/> Telephone: 0172-2711050

No. HRTSC/Comp-150/ULB /2025/ 4240

Dated: 09th Oct 2025

To

The Commissioner,
Municipal Corporation, Panchkula.
E-mail: mcpanchkula@gmail.com

Subject:- Clearance of objections on NDC portal- Complaint of Dr. Varun Jindal- Interim orders.

Sir,

I am directed to invite reference to the subject cited above and to send herewith a copy of final orders dated 08.08.2025 passed by Sh. T. C. Gupta, Chief Commissioner, Haryana Right to Service Commission for information and necessary action, please.

The report be sent to the Commission by 27.10.2025 through e-mail: rtsc-hry@gov.in only. Physical copy must not be sent. The reply being sent must also mention the name of the signatory along with the designation, without which the replies will not be entertained.

(Sube Khan)

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

CC: Dr. Varun Jindal (Contact jindaldentalclinic12@gmail.com) for information.

No. 98764-87103, e-mail:

(Sube Khan)

Under Secretary-cum-Registrar,
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Interim Orders

(In respect of HRTSC/Comp-150/ULB/2025)

Date: 06.10.2025

Time: 12:00 Noon

Case Type		Complaint Case
Department		Urban Local Bodies Department
Name of Service		Clearance of objections on NDC Portal
Date of Application		-
RTS Timeline		05 days
RTS Due Date		-
District		Panchkula
Name of the Appellant		Dr. Varun Jindal
Designated Officer (DO)		Zonal Taxation Officer, Panchkula
First Redressal Authority (FGRA)	Grievance Authority	Deputy Municipal Commissioner, Panchkula
Second Redressal Authority (SGRA)	Grievance Authority	Municipal Commissioner, Panchkula

1. A complaint was received from Dr. Varun Jindal vide letter dated 22.08.2025 pertaining to the notified service “*Clearance of Objections on NDC Portal.*” The complainant, owner of House No. 462, Sector 12, Panchkula (Property ID: 1FY4T203), raised two issues regarding property tax :-

i. Wrong classification of property:

- The property has been recorded as a *Private Hospital*, whereas it is actually a residential plot measuring 250 sq. yds., as per HSVP records.
- The complainant is running a dental consultancy with permission granted by the Estate Officer, HSVP, Panchkula vide memo no. 6726 dated 23.05.2013.
- Such permissions are also granted to other professionals e.g. advocates, chartered accountants, without altering the residential classification.
- Therefore, the complainant requested that the records be corrected to reflect the property as *residential* for property tax purposes.

ii. Wrong garbage collection charges:

- Even if the consultancy generates some additional waste, the complainant has a service agreement with M/s Ess Kay Hygienic Services and pays ₹1,232/- per month for lifting and disposal of bio-waste.
- Since this demonstrates that the consultancy does not burden the Municipal Corporation, the complainant argued that they should only be charged Rs. 50/-

per month, as per Notification dated 24.10.2011, Category No. 4: *Residential houses including hostels more than 200 sq. mtrs. but up to 400 sq. mtrs.*

- Accordingly, the complainant requested that property tax notices be corrected.
2. Taking cognizance of the matter, the Commission was satisfied that there were reasonable grounds to inquire into the matter under Section 17(2) of the Haryana Right to Service Act, 2014 (hereinafter referred to as the *Act*). Accordingly, a report was sought from the Commissioner, Municipal Corporation, Panchkula vide Commission's letter no. 3553 dated 26.08.2025.
 3. A reply was received from Sh. Vinod Nehra, Deputy Municipal Commissioner, Municipal Corporation, Panchkula vide letter no. 14357/H.T.C. dated 04.09.2025 which states as under:-
 - a.** During site inspection at House No. 462, Sector 12, Panchkula, it was found that 300 sq. ft. of the ground floor is being used as a dental clinic, while the remaining 1357 sq. ft. is being used for residential purposes, which is already correctly reflected in the MC records.
 - b.** Property tax is levied on the basis of actual use of the premises. Since dental clinics fall under the special category "*Private Hospital (up to 50 beds)*" as per Haryana Government Notification dated 11.10.2013, the categorization of this property as "*Private Hospital – up to 50 beds*" is correct.
 - c.** Regarding garbage collection charges, the applicable rate is governed by Haryana Government Notification dated 24.10.2011, which specifies that clinics and hospitals up to 50 beds are liable to pay Rs. 1,500/- per month (Rs. 18,000/- annually). These charges are already being levied correctly.
 - d.** The Municipal Corporation, therefore, concluded that both the categorization of the property and the garbage charges are correct as per the rules and notifications in force.
 4. To proceed further in the matter, a hearing was scheduled before Sh. T. C. Gupta, Chief Commissioner, Haryana Right to Service Commission on 06.10.2025 at 12:00 noon vide Commission's letter no. 3927 dated 18.09.2025.
 5. (a) The hearing took place as scheduled, which was attended by:
 - i. Sh. Vinod Mehra, Deputy Municipal Commissioner, Panchkula-cum-FGRA on behalf of Sh. Ram Kumar Singh, Commissioner, Municipal Corporation, Panchkula-cum-SGRA
 - ii. Dr. Varun Jindal, complainant (in person)(b) The complainant reiterated the contentions of his letter dated 22.08.2025, while the respondents reiterated the contents of their reply dated 04.09.2025. In addition, the Deputy Municipal Commissioner, Panchkula

stated that the permission granted by the HSVP for the part commercial use of the residential property was valid until 2018, and no permission had been obtained thereafter. Contradicting this, the complainant produced the permission issued by HSVP vide Memo No. 551 dated 17.02.2023, which revalidated the permission for a further period of five years, i.e., from 22.05.2023 to 21.05.2028 (Copy attached at Annexure-A).

6. The Commission has carefully considered all the facts and circumstances of the case. Upon perusal of the record, it is evident that the stand taken by the MC, Panchkula, is entirely incorrect. They appear to have confused two separate HSVP policies. One of these policies permits the operation of consultancy services such as those of doctors (without nursing homes), lawyers, tax consultants, architects (without studios), contractor consultants, chartered accountants /company consultants, property consultants, and tourist guides. This policy, originally issued on 12.01.1999 and amended from time to time, specifies that permission may be granted for use of up to 25% of the Floor Area Ratio (FAR), while the property category shall continue to remain residential.

The second HSVP policy dated 21.07.2008, permits the operation of nursing homes from residential houses, allowing the entire premises to be used for nursing home. This policy was circulated by HSVP on 21.07.2008, further amended on 11.07.2016, and most recently on 06.03.2024. It includes certain conditions—such as the minimum width of the roads on which these residential plots are located—that must be fulfilled before granting permission to operate a nursing home. Therefore, the classification of the complainant's property consequent upon permission to use part property for clinic without beds as a "*Private Hospital up to 50 beds*" is incorrect, as the applicable policy in this case is the one dated 12.01.1999. Although the Deputy Municipal Commissioner, Panchkula stated that property tax has been imposed based on actual use - i.e. separate tax rates for the portion used as a residence (1397 sq. ft.) and the portion used for the dental consultancy (300 sq. ft.) - the property tax has nonetheless been levied under the category of a "*Private Hospital up to 50 beds*" for portion used by the complainant dentist without having any bed / nursing home facility. Such a levy is unjustified, as no similar levy is made in cases where permissions have been granted to other professionals such as advocates, chartered accountants, tax consultants, and other categories covered under the same policy.

Moreover, with regard to the garbage collection charges, these too have been levied under the commercial category. However, as already stated, under the first policy dated 12.01.1999, the category of the property remains residential. It is only under the second policy dated 21.07.2008 that the property category changes from residential to commercial. If the contention of the MC is that additional garbage is being generated due to the use of part of the property as a clinic, it is misplaced, as the complainant has already entered into an agreement with a private company, M/s. Ess Kay Hygienic Services, to which he pays ₹1,232 per month for the disposal of biomedical waste. Hence, there is no additional burden of garbage collection on the

MC. Accordingly, both property tax and garbage collection charges should be levied considering the property under residential category. In any case, for allowing such non-nuisance professional consultancy, HSVP charges an initial fee of ₹50,000 for five years, with renewal charges thereafter.

In view of the above, MC, Panchkula is directed to re-assess the property tax and the garbage collection charges accordingly under intimation to the Commission by 27.10.2025 on its' e-mail: rtsc-hry@gov.in.

08th October, 2025

