



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

File No.:HRSC-010004/175/2024/4423

Dated: 30.10.2024

To

The Administrator (HQ)-cum-SGRA
HSVP, Panchkula
E-mail: admnhqhsvp@gmail.com&dysupdtadmpklhsvp@gmail.com

The Zonal Administrator-cum-FGRA
HSVP, Zonal Office-Gurugram.
E-mail: admgnhuda2@gmail.com

The Estate Officer-cum-Designated Officer,
HSVP, Gurugram-II,
E-mail: eoggnhuda2@gmail.com

**Subject:- Revision No.- AAS24/1157728-Sh. NAVDEEP SINGH-Transfer
Permission Letter -Family [RTS - 8 Day] HSVP-Gurugram-II.**

Sir,

I am directed to forward herewith a copy of the Final order dated 26.09.2024 passed by Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, Chandigarh in respect of above case for information and compliance.

(Sube Khan)

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

Endst. No. 4424

Dated: 30.10.2024

A copy is forwarded to the followings:-

1. The Chief Secretary to Government of Haryana, General Administration Department (Administration) Haryana Civil Secretariat, Chandigarh.
2. The Chief Administrator, HSVP, Panchkula for information and necessary action please. (E-mail: hsvp.rts@gmail.com).
3. Navdeep Singh (Contact No. 9416354081 for information.

(Sube Khan)

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



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

Final Orders

(In respect of Revision No.- AAS24/1157728-Sh. NAVDEEP SINGH-Transfer Permission Letter -Family [RTS - 8 Day] HSVP-Gurugram-II.)

Hearing date: 24.09.2024

Time: 12:00 noon

Case type	Revision on AAS	
Department	HSVP	
Name of Service	Transfer Permission Letter -Family	
Date of application	27.06.2024	
RTS timeline	8 days	
RTS Due Date	09.07.2024 (Mention on SARAL Portal i.e 13.09.2024)	
District	Gurugram	
Name of the Appellant	Navdeep Singh	
Designated Officer	Designation	Estate Officer, Estate Office-Gurugram-II
	Action taken with date	Service Completed
	Remarks of DO	"NOTE"
First Grievance Redressal Authority	Designation	Administrator, Gurugram,
	Date and mode of appeal submitted to FGRA	Auto Appeal on 10.07.2024
	Remarks of the Appellant	-
	Action taken by the FGRA with date	Appeal Dismissed on 10.07.2024
	Remarks of FGRA	"EO to direct give personal hearing to applicant if not resolve the grievance within 7 days /" (N.A).
Second Grievance Redressal Authority	Designation	Administrator, Head Quarter, State-Haryana
	Date and mode of appeal submitted to SGRA	Through self on 10.07.2024
	Remarks of the Appellant	"Sir I am surprised that my application for family transfer is not

		being processed timely by Estate officer II Gurugram and the application execution for my application for family transfer of my plot no 1617/57 on my name of wife Kavita Devi. Please intimate me a reason and give me personal date of hearing on already fixed date 12.7.2024 at 11.30 AM for execution of my application please. Regards Navdeep Singh S/o Satbir Singh H.No 1270 sector 1 Rohtak. /” (Copy enclosed).
	Action taken by SGRA with date	Appeal Dismissed on 22.08.2024 (N.A).
	Remarks of SGRA	“In view of reply of Estate officer, appeal is disposed of with the direction to EO to inform the applicant about the reason of rejection and then provide the service as per HSVP policy within RTS timeline as and when applicant resubmits the application. /” (N.A)
Commission	Date of filing of Revision	22.08.2024
	Mode of Revision	Filed through Self
	Remarks of the Appellant	“Revision Appeal against Rejection of Transfer Permission with in family for Plot No. 1617 sector 57 Gurugram by Estate officer II HSVP Gurugram with false objection that Proof Id of seller is not attached /” (Copy enclosed).
	Whether Revision has been filed in time?	Yes
	Whether service has been applied under the correct category?	Yes

2. Taking cognizance of the matter, the Commission directed the SGRA-cum-Administrator (HQ), FGRA-cum-Administrator, Gurugram and the DO-cum-Estate Officer, vide letter no. 3825 on 04.09.2024 to submit their comments or replies by 17.09.2024. The DO, FGRA, SGRA and the appellant were also instructed to appear for a hearing before Sh. T. C. Gupta, Chief Commissioner of the Haryana Right to Service Commission, on 24.09.2024 at 12:00 noon.

In response, a reply was received from the FGRA-cum-Administrator, Gurugram vide memo no. RTS/2024/10053 on 17.09.2024 and from the DO-cum-EO-II, GGN vide memo no. 6334 on 18.09.2024, informing that the online

application dated 27.06.2024 requesting transfer permission within the family was rejected by the Estate Officer on 20.08.2024 due to the seller's ID proof (allottee/transferee family relationship proof) not being attached. The required relationship proof was subsequently submitted by the applicant on 17.09.2024 and it has now been approved.

A reply was received from the SGRA-cum-Administrator (HQ), Panchkula, vide memo no. 252993 on 19.09.2024, informing that directions had been issued to the EO several times. The EO had informed on 16.08.2024 that biometric attendance had been rescheduled for that day. Subsequently, as no seller proof was attached, the application was rejected on 20.08.2024, and the EO was directed to inform the applicant of the reasons for the rejection. It was further mentioned that a telephonic conversation with the applicant took place on 19.09.2024, during which the applicant's satisfaction was noted.

3. The hearing took place as scheduled, which was attended by the following:
 - i. Sh. Satpal Sharma, HCS, SGRA-cum-Administrator (HQ) (Panchkula)
 - ii. Ms. Renu Sogan, IAS, FGRA-cum-Administrator (Gurugram)
 - iii. Sh. Raghbir Singh, Assistant Estate Officer on behalf of Ms. Belina, HCS, DO-cum- Estate Officer, Gurugram-II

4. (a) Sh. Navdeep Singh, the appellant, stated that despite attaching all the relevant documents, his application was rejected by the Estate Officer on flimsy grounds. He only wanted to transfer his plot in the name of his wife, for which he had attached the Aadhaar card of his wife, Smt. Kavita Devi, which clearly mentioned that she was his wife. He requested that necessary instructions be issued to all not to harass the applicants/allottees.

(b) Sh. Raghbir Singh stated that the application was rejected by the Estate Officer on 20.08.2024 because the seller's proof was not attached. At this point, Sh. Navdeep Singh intervened and clarified that he was not a seller but only a transferor in the case of a family transfer. Sh. Raghbir Singh was asked why this objection was not raised either by the Accountant, Sh. Rakesh Kumar, the Assistant, Sh. Dinesh Kumar, or by himself as the Deputy Superintendent, as they had all recommended approval of the proposal. Moreover, the biometric attendance of both husband and wife had been taken on 16.08.2024. The biometric attendance is recorded by the Estate Office only when the persons visit the office and presents their IDs. To this, Sh. Raghbir Singh had no answer, except to state that he had already recommended the case.

(c) Ms. Renu Sogan, IAS, Administrator, Gurugram, was asked why she dismissed the appeal within two hours of its escalation to her, instead of taking action as required under Section 6 of the Haryana Right to Service Act, 2014 (hereinafter referred to as the "Act"). She stated that she was unaware of the functioning of the portal and the provisions of the RTS Act. She admitted that she had delegated this work to her assistant, who had dismissed the appeal.

(d) Sh. Satpal Sharma reiterated the contents of his reply dated 19.09.2024 and stated that he had directed the Estate Officer to inform the applicant of the reason for the rejection and to provide the service as per HSVP policy within the RTS timeline, as and when the applicant re-submits the application

5. The Commission has carefully considered all the facts and circumstances of this case. The following deficiencies have been noticed by it on the part of various functionaries: -

- (i) The rejection of the case by Ms. Belina, HCS, DO-cum-Estate Officer, Gurugram-II, on 20.08.2024, despite the recommendation of her lower-level functionaries, is questionable considering the fact that the biometric attendance of both the husband and the wife was done on 16.08.2024. Further, the attachment in the form Aadhar card of Smt. Kavita Devi clearly indicates her relationship with her husband, Sh. Navdeep Singh, the applicant. As per procedure, biometric attendance is taken only when an applicant visits the office and produces his ID. After the officials verify the IDs of the concerned persons, then only the biometric attendance is marked. Everything was completed on 16.08.2024, and the case had already been recommended by three dealing officials—namely the Accountant, Assistant, and Deputy Superintendent—on 15.07.2024. Still, the application was rejected by the EO on 20.08.2024!!! Interestingly, the same application was later approved by the same EO after the issuance of a notice by the Commission. If the application had been correctly rejected, the applicant would have been required to re-apply, as stated by the SGRA-cum-Administrator (HQ) in his direction, and only then, the service would have been delivered against the new application. Despite this, after receiving a trivial document like a signed copy of the Aadhaar card—although the applicant had submitted the same earlier—the previously rejected application was approved, possibly by getting it revived from the backend. Therefore, Ms. Belina is clearly guilty of not delivering the notified service within the required timeline and unjustly rejecting the application without reasonable cause. Regarding her absence from today's hearing, she sent an email at 11:45 a.m. on 24.09.2024, stating that she had to appear in the

Hon'ble High Court in a contempt proceeding on 23.09.2024 (yesterday) and had therefore, authorized Sh. Raghubir Singh to represent her. In fact, she could have easily attended today's hearing, which was held through VC (video conferencing), as many people have previously too attended the Commission's hearings while traveling. The VC was held at 12:00 noon, and by this time, she could have easily returned to Gurugram after yesterday's court hearing and attended the Commission's hearing. Her absence seems to be deliberate, but since she authorized Sh. Raghubir Singh in writing to represent her, the arguments he advanced on her behalf have been considered and found unjustified. Therefore, in exercise of the powers vested in the Commission under Section 17 (1)(h) of the Act, the Commission imposes a token penalty of Rs. 5,000/- on her. For undue harassment of the applicant, she is also directed to pay a compensation of Rs. 5000/- to the appellant i.e. Sh. Navdeep Singh. The Chief Administrator, HSVP, Panchkula is directed to ensure the deduction of Rs. 10,000/- from her salary of either September, 2024 or October, 2024 to be paid in October/November, 2024 and deposit Rs. 5,000/- in the State Treasury under the Receipts Head 0070-60-800-86-51 and disburse Rs. 5,000/- to the appellant. He is also requested to intimate the compliance of these orders to the Commission along with photocopies of the Challan etc., at its email only rtsc-hry@gov.in. within 30 days of receipt of the orders. Sh. Navdeep Singh is requested to provide the following details to the CA, HSVP, Panchkula (hsvp.rts@gmail.com) and EO-II, HSVP, Gurugram (eogghuda2@gmail.com) as well as to the Commission (rtsc-hry@gov.in) for making the payment of the compensation: -

- (a) Name of the Bank
 - (b) Name of the Account holder in the Bank
 - (c) Bank Account Number
 - (d) Address of the Bank
 - (e) IFSC Code
- ii) As far as the role of the FGRA-cum-Administrator, Gurugram is concerned, it is clearly against the provisions of Section 6 of the Act, as noted in the similar case of Smt. Seema Gupta (AAS24/1159344), in which the Commission passed orders on 17.09.2024. The Commission is of the opinion that if she had reviewed the case and provided the applicant with an opportunity for a hearing, as required under Section 6 of the Act, the applicant's grievance could have been addressed at that stage, rather than being escalated to the Administrator (HQ) and the Commission. This kind of negligence on her part is totally unacceptable. However, since she is new to the job and candidly admitted her lapses during the hearing held on 16.09.2024, all these cases will be recorded against her name in the database of the Commission. If any further lapses are found on her part

after 16.09.2024, the Commission will include not only the case of Smt. Seema Gupta but also this case of Sh. Navdeep Singh while recommending suitable disciplinary action against her to the State Government, in exercise of the powers vested under Section 17(1)(d) of the Act. However, it is hoped that no such occasion will arise in future.

- iii) Coming to the role of the SGRA-cum-Administrator (HQ), it is the same story as ever, as noticed in almost all cases. Sh. Satpal Sharma only issues directions to the EO without taking any effective action or the actions required under Section 7 of the Act. He has been content with dismissing the appeals, implying that there is no merit in them. In this instance too, he dismissed the appeal on 22.08.2024, while Section 7 of the Act clearly states that before rejecting an appeal, an opportunity for a hearing shall be granted to the eligible person by the SGRA. This kind of handling of the grievances of allottees/applicants is totally unprofessional, unacceptable and unwarranted. In this case, he directed the EO to inform the applicant about the reasons for rejection, but that was unnecessary because the reason for rejection was already documented in the PPM. The very fact that the same application was subsequently approved by the Estate Officer clearly shows that his dismissal of the appeal on 22.08.2024 was completely erroneous.

It is pertinent to mention here that Sh. Satpal Sharma was the first Secretary of the Haryana Right to Service Commission after the Commission was constituted in August, 2014. As Secretary of the Commission, it was his duty to enforce the provisions of the Act in the State of Haryana and hence he cannot claim that he was not aware of the provisions of the Act. Moreover, as SGRA, it is his solemn duty to not only redress the grievances of the applicant but if he found that any person had delayed the delivery of service or had failed to provide the same, he had the powers to penalize such persons under the provisions of Section 9 of the Act. Unfortunately, he did not issue even a single notice to any of the Designated Officers for failure to deliver the service or for delaying the delivery of service. Hence, it is evident that he has miserably failed to perform his duties as SGRA as mandated under the Act.

As the Appellate Authority against the orders of Zonal Administrators who belongs to the Indian Administrative Service or senior officers of the Haryana Civil Service, a serious responsibility is bestowed on him to redress the grievances of appellants. However, he mechanically dismisses appeals by simply issuing directions to the Estate Officers without even providing an opportunity for a hearing to the appellants. The Commission fails to understand what kind of resolution of grievances this represents!!! He is completely oblivious of his duties as Appellate Authority.

For above lapses on his part, the Commission in exercise of its powers vested under Section 17(1)(d) of the Act recommends initiation of suitable disciplinary action against Shri Satpal Sharma, HCS to the Chief Secretary to Government of Haryana for dereliction of duties as SGRA in this case. It is hoped that after this, he will realize his responsibilities as SGRA and begin to act accordingly by effectively addressing the grievances of the allottees. Attention of the Government is invited to the provisions of section 18 of the Act, which provides as under:

”(1) The State Government shall consider the recommendations made by the Commission under clauses (d), (e) and (f) of sub-section (1) of section 17 and send information to the Commission of action taken within thirty days or such longer time as may be decided in consultation with the Commission, In case the State Government decides not to implement any of the recommendations of the Commission, it shall communicate the reasons for not acting on the recommendations to the Commission.

(2) The Commission shall prepare an annual report of the recommendations made by it under section 17 along with the action taken and reasons for not taking action, if any. The State Government shall cause a copy of this report to be laid on the table of the Haryana Legislative Assembly.

Therefore, Chief Secretary, Haryana is requested to inform the Commission of the action taken on its recommendation so that it can be incorporated in the annual report to be tabled in the Haryana Legislative Assembly.

With these orders, this revision is hereby allowed and disposed of.

26th September, 2024

