

**Chandigarh Right to Service Commission**  
(Chandigarh Administration)  
Nagar Yojana Bhavan, C- Wing, Sector 18-A, Madhya Marg, Chandigarh -160018  
Phone No. 0172-2700018, email – chd.rtsc@chd.nic.in  
website: rtsc.chd.gov.in

Dated: -25-04-2025

No. PS/CRTSC/2025/ 76-80

Petition No. 116 of 2024-2025

**Ms. Shivani Devi**

Vs.

**Concerned Section Officer (Estate) or Assistant Controller (Finance & Accounts)-cum-Designated Officer  
(under the Right to Service Act), Estate Branch of the Municipal Corporation,  
Chandigarh**

**ORDER**

Whereas a complaint/petition dated 25.02.2025 has been filed by Ms. Shivani Devi, in which she stated as under:

*"I am writing to bring to your attention a complaint regarding the non-issuance of a No Objection Certificate (NOC) for the transfer of property, despite submitting all required documents and reminders.*

*I applied for the NOC for the transfer of H.No.4, Khuda Alisher, U.T. Chandigarh on 12.09.2024 (Annexure 'A'), at the office of the Chief Executive Officer, Zila Parishad Chandigarh, now Jt. Commissioner (Estate), Municipal Corporation, Chandigarh. In response, I received a letter from the Municipal Corporation (Estate Branch) Chandigarh, vide No. MCC/Estate/2024/1856419, dated 26.11.2024 (Annexure 'B'), requesting additional documents for the transfer.*

*I submitted all the required documents on 27.11.2024 (Annexure 'C'). However, despite sending reminders on 29.1.25 (Annexure 'D'), dated 14.2.25 (Annexure 'E'), and dated 24.2.2025 (Annexure 'F'), I have not received the NOC from the office of Jt. Commissioner (Estate), Municipal Corporation, Chandigarh.*

*I request you to take appropriate action regarding this matter, as per the Right to Service Act. I have attached all relevant documents, including my application, reminders, and receipts, for your reference".*

2. As per Sr. No. 150 of the list of Public Services, the service 'No Objection Certificate for transfer to lease rights by way of sale/gift/family transfer deed/exchange deed' was required to be provided to the applicant within a period of 31 working days from the date of submission of application. As the applicant had submitted all the required documents on 27.11.2024, the period of 31 working days had



already expired on 10.01.2025, but the Designated Officer (under the Right to Service Act), failed to provide the service to the applicant till date, as alleged by her.

3. Therefore, the undersigned being Chief Commissioner of the Chandigarh Right to Service Commission, by taking suo moto action under Section 17 (1) (b) of the Punjab Right to Service Act 2011, called upon the Designated Officer Sh. D.P Singh to Show Cause as to why penal action should not be taken against him under Section 2(h) of the Punjab Right to Service (Amendment) Act 2014, as extended to the Union Territory of Chandigarh vide Suo Moto Notice bearing No. PS/CRTSC/2025/29-32, dated 03.03.2025. He was also directed to appear (in person) before the undersigned on 7<sup>th</sup> March, 2025 alongwith complete record of the case as well as reply to the notice.

4. On 07.03.2025 after hearing both the parties the case was adjourned to 17.03.2025 with the direction to the Designated Officer, Sh. D.P Singh to bring the concerned Senior Assistant of the Zila Parishad, now merged with the Municipal Corporation Chandigarh on the next date of hearing.

5. The case was again heard on 17.03.2025, but the Designated Officer, Sh. D.P Singh failed to bring along the Senior Assistant of the Zila Parishad now merged with the Municipal Corporation Chandigarh.

6. The requisite action against the Designated Officer, Sh. D.P Singh and the concerned Senior Assistant, Sh. Ravinder Singh, has separately been taken vide order No. PS/CRTSC/2025/43-47, dated 27.03.2025. Necessary directions to the Joint Commissioner-III, Municipal Corporation, Chandigarh and Sh. Sunil Dutt, the Designated Officer, who remained posted in Estate Branch in the Municipal Corporation, Chandigarh have also been issued vide letters dated 08.04.2025, to remain careful in future.

7. During the course of hearing of the case and as per the information received from the Municipal Corporation Chandigarh, it appears that the concerned file was marked to Sh Barham Pal on 16.10.2024, but he failed to take any action in the matter upto 13.11.2024.

8. Therefore, there was a delay of 19 working days on the part of Sh. Barham Pal in providing the service to the applicant by the Designated Officer, which is against the spirit of the Right to Service Act.

9. Therefore, the undersigned being Chief Commissioner of the Chandigarh Right to Service Commission, by taking *suo moto* action under Section 17 (1) (b) of the Punjab Right to Service Act 2011, as extended to the Union Territory of Chandigarh, called upon Sh. Barham Pal to Show Cause as to why penal action should not be taken against him under Section 2(h) of the Punjab Right to Service (Amendment) Act 2014, as extended to the Union Territory of Chandigarh. Sh. Barham Pal was also directed to appear (in person) before the undersigned on 16<sup>th</sup> April, 2025 alongwith complete record of the case as well as reply to the notice.

10. The case was heard on 16.04.2025. Sh. Braham Pal, Junior Assistant office of Block Development & Panchayat Officer, Municipal Corporation Chandigarh (now merged in Municipal Corporation Chandigarh) was present. He stated that due to his pre-occupancy in the office and also due to his poor health condition, he could not prepare the reply to the suo moto notice. Accordingly, he requested that some more time may be given to him for submitting the reply to the suo moto notice. By considering his request, Shri Barham Pal, Junior Assistant O/o Block Development and Panchayat Officer, MCC, Chandigarh, was granted more time and directed to appear in the Commission alongwith his written reply to the suo moto notice on 25.04.2025.

11. Shri Barham Pal was present in the Commission on 25.04.2025 and submitted the reply to the suo-moto notice, which was taken on record. He was also heard in detail. None was present on behalf of the applicant, Ms. Shivani Devi despite valid service of the notice.

12. After hearing Sh. Barham Pal, Junior Assistant and careful perusal of the record made available by the Municipal Corporation Chandigarh, it is abundantly clear that Sh. Barham Pal had failed to take any action in the matter for 19 working days i.e. from 16.10.2024 to 13.11.2024 without any satisfactory/cogent reason. Moreover, he has admitted in his reply that there was delay on his part in dealing with the case file. This lapse on his part has been viewed seriously by the Commission.



13. Therefore, as per provisions of Section 2 (h) of the Punjab Right to Service (Amendment) Act, 2014, I hold Sh. Barham Pal, Junior Assistant, O/o Block Development & Panchayat Officer, Municipal Corporation Chandigarh guilty of not taking any action on the request of the applicant for a period of 19 working days, which also led to delay in considering the matter by the Designated Officer for providing the service to the applicant within the stipulated time limit and therefore, to meet with the requirements of justice, I impose a penalty of Rs. 4000/- on him. Out of the above mentioned amount of penalty, 50% is ordered to be paid to the applicant, Ms. Shivani Devi.

To

*O/C*  
Dr. Mahavir Singh, IAS (Retd.)  
Chief Commissioner

Sh. Barham Pal  
Junior Assistant,  
O/o Block Development & Panchayat Officer  
Municipal Corporation, Chandigarh.

*BPA 25/04/2025*  
Copy alongwith a copy of enclosures is forwarded for information and necessary action to:-

*25/4/25*  
Sh. Amit Kumar, IAS Commissioner, Municipal Corporation, Chandigarh-cum-Second Appellate Authority (under the Right to Service Act); for recovery of penalty from Sh. Barham Pal, Junior Assistant, O/o Block Development & Panchayat Officer, Municipal Corporation Chandigarh, he may refer to Rule 12 of the Chandigarh Right to Service Rules, 2019 as notified vide Notification No. 28/67/1-IH(11)-2019/15461 dated 11.10.2019

*25/4/25*  
Ms. Shashi Vasundhra, HCS, Joint Commissioner, Municipal Corporation, Chandigarh-cum-First Appellate Authority (under the Right to Service Act).

3. Block Development & Panchayat Officer, Municipal Corporation, Chandigarh. — *BPA 25/4/2025*

4. Ms. Shivani Devi W/o Sh. Sanjeev Kumar, House No. 2, Govt. Homeopathic Dispensary, Sector 27-A, Chandigarh

*28/4/25*