

# Chandigarh Right to Service Commission (Chandigarh Administration)

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No. PS/CRTSC/2025/193-196

Dated: -26/09/2025

Petition No. 24 of 2025-2026

**Ms. Deepa Duggal and Ms. Guneeta Grover**

**Vs.**

**Assistant Estate Officer-cum-Designated Officer  
(under the Right to Service Act), office of Estate Officer, UT, Chandigarh**

## ORDER

Whereas, a complaint/application dated 22.06.2025 was received in the Chandigarh Right to Service Commission via e-mail, from Ms. Deepa Duggal and Ms. Guneeta Grover, in which they have stated as under:-

*"We, Deepa Duggal and Guneeta Grover, are writing to express our concern regarding the unjustified and prolonged delay in the processing of our application submitted to the Estate Office, UT Chandigarh, for the transfer of 50% share in our residential property bearing No. RP 2365, as House No. 305, Sector 9D, Chandigarh – 160009.*

*The said property was originally owned 100% by Deepa Duggal, who transferred 50% ownership share to her daughter Guneeta Grover through a registered family transfer deed. Accordingly, we submitted an application for mutation/transfer to the Estate Office vide Application No. 502169 dated 27.01.2021, and the target date for disposal mentioned was 01.03.2021.*

*Since then, the Estate Office has asked us to submit additional documents and clarifications from time to time, all of which we have promptly and fully complied with. However, even after more than four years, we have not received any formal decision or substantive communication regarding the status of the application.*

*We have also filed multiple RTI applications seeking updates and file status, but the Estate Office has failed to respond to any of them. All communications and documents are part of the official file, which may kindly be reviewed by your office.*

*This delay is now causing us serious hardship, as we intend to apply for a joint loan against the property but are unable to do so due to the pending transfer.*

*We, therefore, humbly request your kind and urgent intervention to direct the Estate Office to immediately process and dispose of our long-pending application in accordance with law and the Right to Service provisions".*

2. As per Sr. No. 52 of the list of Services, ***'Transfer on any basis e.g. intestate death/registered/un-registered Will/Court Decree/ family settlement, etc. where issuance of Public Notice is required (un-contested). Change of Ownership on any basis e.g. interstate death registered/un-registered Will/Court Decree/family settlement etc. on application after Public Notice (Un-contested)'*** was required to be provided to the applicants **within a period of 40 working days** from the date of submission of application. But the Designated Officer failed to provide the service to the applicants since 27.01.2021 (for more than 04 years), till the date of submission of application in the Commission.
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, as extended to the Union Territory of Chandigarh, called upon the Designated Officer 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/2025/112-115, dated 25.06.2025. He was also directed to appear (in person) before the undersigned on 4<sup>th</sup> July, 2025 alongwith complete record of the case as well as reply to the notice. The applicants, Ms. Deepa Duggal and Ms. Guneeta Grover were also directed to be present (in person) in the Chandigarh Right to Service Commission on the above said date.
4. The case was heard on 4<sup>th</sup> July, 2025. Ms. Guneeta Grover, one of applicants and Sh. Naveen Rattu, Assistant Estate Officer-(I)-cum-Designated Officer were present. The Designated Officer submitted a written reply to the Show Cause Notice which was taken on record.
5. During the course of hearing Ms. Guneeta Grover, one of the applicants stated that she applied for transfer of 50% share of House No. 305, Sector 9-D, Chandigarh (RP 2365) in her name on the basis of registered family transfer deed made by her mother, Ms. Deepa Duggal on 27.01.2021, but the service has not been provided to her till date by the Designated Officer.
6. The Designated Officer stated that the original file in respect of the house, in question, was seized by the CBI on 14.12.2015 in case No. RCCHG2015A0025, and submitted a copy of Seizure Memo to the Commission. Further, he made available a copy of letter dated 21.10.2021 written by the Estate



Office, UT Chandigarh to the Deputy Supdt. of Police, CBI, ACB, Sector 30, Chandigarh, vide which a request was made to the CBI authorities that if the original record, in question, is no longer required, then the same may be supplied to the office so that the transfer application may be processed. The Designated Officer also submitted a photocopy of letter dated 29.10.2021 of the CBI authorities in which it was mentioned that the file in question has been submitted in the Hon'ble Court of Spl. Judge CBI, Chandigarh in original as documentary evidence in respect of the concerned case.

7. In view of the above, the Commission asked the Designated Officer that when the application for transfer was submitted in the Estate Office in the month of January, 2021, then why, a period of 10 months was taken to send a communication to the CBI Authorities. The Commission further enquired from the Designated Officer as to why the information received from the CBI authorities was not brought to the notice of the applicant. The Designated Officer admitted that this was a lapse on the part of the concerned officials of the Estate Office and assured that action would be taken against the erring officials. The Commission directed the Designated Officer to take immediate necessary action against the guilty officials of the Estate Office and send the Action Taken Report to the Commission. Further, to ascertain the delay on the part of other officials of the Estate Office, the Designated Officer was directed to submit a copy of the noting sheets of the file on which the present request of the applicants was dealt with. The Designated Officer further stated that now vide letter dated 27.06.2025 it has been informed to the applicants that their request for transfer of ownership to the extent of 50% share on the basis of transfer deed stands rejected as the original record file of the property, in question, is lying with the Hon'ble Court of Special Judge, CBI, Chandigarh as a documentary evidence. He also stated that the applicants have been requested to furnish clearance from CBI, ACB, Chandigarh. The applicant contradicted the version of the Designated Officer stating that no such communication has been received by them till today. On the directions of the undersigned, a copy of the above referred letter was handed over to the applicant.

8. On examining the photocopies of the noting sheets supplied by the Designated Officer, it has been found that Shri Rakesh Kumar, Clerk was responsible for a delay of 28 days (on different occasions) in putting up the file to his senior officials, which led to a considerable delay in providing the service to the applicants by the Designated Officer. This lapse on the part of Shri Rakesh Kumar,



Clerk was viewed seriously by the Commission, it being 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 the said Shri Rakesh Kumar, Clerk of the Estate Office, UT, Chandigarh 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/2025/158, dated 05.08.2025. He was also directed to appear before the undersigned on 19<sup>th</sup> August, 2025 alongwith complete record of the case as well as reply to the notice.

10. The case was heard on 19.08.2025. Shri Rakesh Kumar, Clerk alongwith other concerned officials worked/working in the Estate Office were present. None was present on behalf of the applicants. The above said Shri Rakesh Kumar requested the Commission that he may be granted some more time to furnish his written statement to the Show Cause Notice, as he being on leave could not prepare the same. The Commission accepted his prayer, and directed him to furnish written statement to the Show Cause Notice on the next date of hearing of the case i.e. on 26.08.2025. The other officials working in the Central Record Room of the Estate Office, namely; Shri Anil Kaushik (since retired), Ms. Shelly Pahwa and Ms. Gurmeet Kaur submitted their written statements, which were taken on record. They stated that in accordance with established procedure, the Central Record Room generally provides such reports on the same day or by the next working day. In the instant case, the Record Keeper forwarded the note to the Central Record Room on either 15.09.2021 or 16.09.2021, and as per the noting (attached), the report was provided on 16.09.2021. They pointed out that the forwarding date on the noting appears overwritten and is not clearly legible. Accordingly, the relevant page of photocopy of the noting sheet was shown to Shri Rakesh Kumar, Clerk and asked to clarify his position with regard to the cutting/overwriting made in the date. He stated that he has not made any cutting/overwriting. As per the photocopies of the noting sheets made available by the Assistant Estate Officer, the matter regarding the cutting/overwriting could not be clarified. Accordingly, vide Commission's letter bearing No. PS/CRTSC/2025/173, dated 20.08.2025, Shri Sanjay Vats, Branch Incharge was directed to be present in the Commission on 26.08.2025 alongwith the available relevant record, so that the matter with regard to the cutting/overwriting in



the date on the noting sheet may be ascertained/clarified for taking decision on this issue.

11. The case was heard on 26.08.2025. Shri Sanjay Vats, Branch Incharge was present and showed the original noting to the Commission, in which the cutting/overwriting is clearly reflected. Shri Rakesh Kumar, Clerk, Shri Anil Kaushik (since retired), Ms. Shelly Pahwa and Ms. Gurmeet Kaur were also present in the Commission. None was present on behalf of the applicants.

12. Shri Rakesh Kumar, Clerk submitted his written reply to the Show Cause Notice in the Commission, which was taken on record. The original page of the noting sheet was shown to Shri Rakesh Kumar, Clerk and asked to clarify as to why this cutting/overwriting was made. He stated that he has not made any overwriting/cutting in the date, but at the same time, he stated that the delay for the relevant period may be counted towards him. Therefore, it is apparent that Shri Rakesh Kumar indirectly admitted that the cutting/overwriting was made by him. Accordingly, a delay of 154 days was attributable to him in dealing with the instant case.

13. Therefore, as per provisions of Section 2 (h) of the Punjab Right to Service (Amendment) Act, 2014, as extended to the Union Territory of Chandigarh, the undersigned holds Shri Rakesh Kumar, Clerk office of Estate Officer, UT, Chandigarh guilty of not taking in time action in the matter due to which the Designated Officer failed to intimate the exact position regarding seizure of their original allotment file by the CBI, ACB Branch to the applicants within the stipulated time-limit. Therefore, the purpose of Right to Service Act for which it is enacted, has been defeated. Accordingly, to meet with the requirements of justice, I, being the Chief Commissioner, Chandigarh Right to Service Commission, hereby, impose a penalty of Rs. 7000/- on the abovesaid Shri Rakesh Kumar, Clerk office of Estate Officer, UT, Chandigarh.


14. Further, with regard to the cutting/overwriting made in the noting sheet by the said Shri Rakesh Kumar, the Commission has taken a serious view, and therefore, as per provisions of Section 17(1)(d), hereby, recommends departmental action/initiation of disciplinary proceedings against him, for imposing a major penalty upon him. The proceedings of the departmental action be completed at the earliest possible, but not later than three month from the date of issue of this order, under intimation to this commission.

15. In addition to the above, the Commission also directs Shri Naveen Rattu, DANICS, Assistant Estate Officer-cum-Designated Officer to immediately


send the action taken report against the erring officials of the Estate Office, as assured by him to the Commission during the course of hearing of the case on 04.07.2025 without any further delay, as mentioned in para 7 of this order.


  
Dr. Mahavir Singh, IAS (Retd)  
Chief Commissioner

To

  
Shri Rakesh Kumar, Clerk,  
Estate Office UT, Chandigarh;

**Copy is forwarded for information and necessary action to:-**

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1. Sh. Nishant Kumar Yadav, IAS, Estate Officer-cum-Second Appellate Authority (under the Right to Service Act), UT, Chandigarh for recovery of penalty from Shri Rakesh Kumar, Clerk. For recovery of penalty, 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. A copy of the order imposing the penalty on the above said Shri Rakesh Kumar, Clerk also be sent to the Commission. Further a copy of order of action taken under the departmental proceedings may also be sent to the Commission, in due course of time.
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2. Shri Naveen Rattu, DANICS, Assistant Estate Officer-cum-First Appellate Authority (under the Right to Service Act, UT, Chandigarh, for sending the action taken report.
3. Ms. Deepa Duggal and Ms. Guneeta Grover (through e-mail).