

HARYANA VIDHAN SABHA

COMMITTEE ON PETITIONS

(2015-2016)

(SIXTH REPORT)

REPORT

on

Various Petitions received by the Committee



(Presented to the House on 31st March 2016)

**HARYANA VIDHAN SABHA SECRETARIAT
CHANDIGARH
2016**

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2	Shri Karan Singh S/o Sh Randhir Singh Yadav P V O Dongra Ahir Tehsil Kanina Distt Mohindergharh
3	Shri Sanjeev Yadav S/o Sh Ram Dass Yadav VPO Singhawli Ahir Distt Bagpat
4	Smt Tejwanti MPHS PHC Samar Gopalpur CHC VPO Chidi Distt Rohtak
5	Shri Mukesh Dagar S/o Late Shri Lala Ram VPO Bhkli Tehsil & Distt Rewari
6	Shri Jatin Batra S/o Shri Ravinder Batra 203 Subhash Nagar Rohtak
7	Shri Sandeep Kumar S/o Jaipal Singh Vill Badoli Distt Panipat
8	Shri Sandeep Mathur H No 278 Sector 7 Gurgaon 122001
9	Shri Chuni Lal Kumar 78 New Hamida Colony Yamunanagar
10	Shri Raj Singh S/o Sh Sardara Singh & Ors R/o Village Sutana Tehsil Matloda Distt Panipat
11	Shri Bishambar Dyal Yadav WZ 82A Choukhandi Extn Tilak Nagar New Delhi

**COMPOSITION OF THE COMMITTEE ON PETITIONS
(2015-2016)**

CHAIRPERSON

- 1 Shri Ghanshyam Dass MLA

MEMBERS

- 2 Shri Anand Singh Dangr MLA
3 Smt Geeta Bhukkal MLA
4 Shri Balwan Singh MLA
5 Shri Randhir Singh Kapriwas MLA
6 Smt Rohita Rewri MLA
7 Shri Ved Narang MLA

SPECIAL INVITEE

- *8 Shri Zakir Hussain MLA
*9 Smt Seema Trikha MLA
**10 Shri Ram Chand Kamboj MLA
*11 Shri Lalit Nagar MLA

SECRETARIAT

- 1 Shri Sumit Kumar Principal Secretary
2 Shri Narender Singh Malik Accounts Officer

Nominated vide Notification No HVS/Petitions/1/2015 16/35 dated 11th May 2015

* Nominated vide Notification No HVS/Petitions/1/2015 16/35 dated 11th May 2015 and resigned from the Membership of the Committee with effect from 23rd July 2015

* * Nominated vide Notification No HVS/Petitions/1/2015 16/45 dated 13th July 2015

** Nominated vide Notification No HVS/Petitions/1/2015 16/68 dated 19th August 2015

INTRODUCTION

1 I Ghanshyam Dass Chairperson of the Committee on Petitions having been authorized by the Committee in this behalf present this Sixth Report of the Committee on Petitions on the various Petitions received by the Committee

2 The Committee considered all the Petitions as per the details given in the Report and examined the concerned Government Officers. The Committee made its observations and has tried its level best to redress the grievances of the Petitioners to the maximum extent

3 The Committee considered and approved this report at their sitting held on 14th March 2016

4 A Brief record of the proceedings of the meetings of the Committee has been kept in the Haryana Vidhan Sabha Secretariat

5 The Committee would like to express their thanks to the Government Officers and other representatives of various departments who appeared for oral evidence before them for the cooperation in giving information to the Committee

6 The Committee is also thankful to the Principal Secretary and other Officer/ Officials of Haryana Vidhan Sabha Secretariat for their whole hearted cooperation and assistance given by them to the Committee

Chandigarh
The 14th March 2016

(GHANSHYAM DASS)
CHAIRPERSON

REPORT

The Committee on Petitions for the year 2015 16 consisting of seven Members was nominated by the Hon ble Speaker Haryana Vidhan Sabha on 28th April 2015 under Rule 268 of the Amended Rules of the Rules of Procedure & Conduct of Business in the House Shri Ghanshyam Dass MLA was nominated as Chairperson of the Committee by the Hon ble Speaker Three special invitees were also nominated by the Hon ble Speaker to serve on this Committee

The Committee held 67 sittings during the year 2015 16 (till finalization of the Report)

1

**PETITION RECEIVED FROM SH GURDYAL SINGH, NAMBARDA
S/O SH KARTA RAM, VILLAGE BHADSON, TEHSIL INDRI, DISTT
KARNAL, REGARDING IRREGULARITIES IN ALLOTMENT OF 100 SQ
YARDS PLOTS**

The Petition received from Sh Gurdyaal Singh reads as under

सेवा में

चेयरमैन पैटीशन कमेटी हरियाणा
विधानसभा चण्डीगढ़।

विषय

मकानों की ग्रांट व 100 100 गज के प्लॉट अधिकारियों की मिलीभगत से केवल अपने अपने चहेतों को देकर असली पात्र लोगों को इससे वंचित रखने पर सरपंच ग्राम पंचायत भादसो श्री नर सिंह के खिलाफ कार्यवाही करने व बार बार प्रार्थना करने के बाद भी आज तक कोई सुनवाई ना होने बारे।

महोदय

प्रार्थी गुरदयाल सिंह नम्बरदार पुत्र श्री कर्ता राम निवासी गांव भादसो तहसील इन्द्री जिला करनाल का रहने वाला है और प्रार्थी निम्नलिखित प्रार्थना करता है कि

- 1 यह कि प्रार्थी गुरदयाल सिंह गांव भादसो का नम्बरदार है और एक जागरूक व्यक्ति है जो कि लोगों की मलाई के लिए अक्सर कार्य करता रहता है।
- 2 यह कि गांव भादसो के मौजूदा सरपंच नर सिंह ने अधिकारियों से साजबाज होकर गरीबी रेखा के तहत आए मकानों की ग्रांट व 100 100 गज के प्लॉट जो प्रियदर्शनी योजना के तहत दिए जाने थे उनको असली पात्र जो कि वास्तव में ही गरीब हैं को ना देकर केवल अपने चहेतों को जिनके पास ट्रैक्टर ट्राली खेती बाड़ी कोठी व अन्य साधन सम्पन्न हैं को वितरित कर दिए गए हैं। जिन्होंने सरपंच की मिलीभगत से अपने पशुओं के बरामदों को घर दिखाकर नाजायज तरीके से लाम लिया है और उनके पास कोई भी सुविधा नहीं है वे लोग लाम से वंचित रह गए हैं।
- 3 यह कि इस बारे में प्रार्थी ने कई बार सरपंच से प्रार्थना की व बाद में प्रधानमंत्री व सचिव हरियाणा व अन्य आलाधिकारियों को प्रार्थना की। लेकिन किसी भी प्रशासनिक अधिकारी द्वारा कोई भी सुनवाई आज तक नहीं की गई है।
- 4 यह कि गांव में तुलसी राम सचिव मौके पर गया था लेकिन उसने भी कोई कार्यवाही नहीं की और सारे मामले में लीपा पोती करके चला आया और मामले को दबाने की बात कही।
- 5 यह कि दिनांक 18 12 2013 को प्रार्थी को पत्र क्रमांक 1894 दिनांक 11 12 2013 की मार्फत खण्ड विकास एवं पंचायत अधिकारी इन्द्री ने अपने कार्यालय में जाच में शामिल होने बारे बुलाया। लेकिन वहां पर कार्यरत बलकार सिंह प्रार्थी के साथ बदतमीजी की और कहा कि तेरा काम लागो को प्लॉट दिलवाना ही रह गया है तू चुपचाप अपने घर क्यों नहीं बैठता। जब मैंने कहा कि मैं गांव का नम्बरदार हूँ और मैं लोगों के हित की बात ही करता हूँ तो उसने कहा कि जो सरपंच ने कर दिया है वही ठीक है और अब तू जो मर्जी कर। जाच यहीं खत्म हो गई है। आगे भी जाच हमने ही करनी है। उन लोगों को प्लॉट नहीं मिलेगा जिन्हें नहीं मिले। चाहे वे असली

पात्र है या नहीं। बलकार सिंह ने यह भी कहा कि जो झुग्गी झोपड़ी वाले हैं। उनको मकानों की ग्रांट व प्लॉट नहीं मिलेगी। इसके बाद मुझे उन्होंने अपने कार्यालय से बाहर धक्के मारकर निकाल दिया। इसके बाद गांव के गुस्साए लोगों ने अपने हक के लिए विरोध और प्रदर्शन किया। सभी की मांग गरीब लोगों को प्लॉट व ग्रांट देने की है। इस सारी गलत कार्यवाही में पटवारी प्रभु बलकार सचिव व सरपंच शामिल हैं।

इसलिए आपसे निवेदन कि उपरोक्त मामले की जांच निष्पक्षता से बी डी ओ आफिस इन्ट्री से ना करवाकर विजलेस विभाग से कराई जाये। ताकि सही तथ्य सामने आ सके। क्योंकि सरपंच व अन्य आरापीगण अपने प्रभाव व रसूख से सही जांच नहीं होने देते। दोषी पाये जाने वाले सरपंच व अधिकारियों के खिलाफ अपने अपने पद का दुरुपयोग करने बाबत कानूनी कार्यवाही की जाये और गलत तरीके से दी गई ग्रांटों की रिकवरी की जाये व गलत वितरित प्लॉटों को रद्द करके सही पात्रों को प्लॉट मुहैया कराये जाये।

आपकी अति कृपा होगी।

दिनांक

प्रार्थी

गुरदयाल सिंह नम्बरदार
पुत्र श्री कर्ता राम
निवासी गांव भादसो
तहसील इन्द्री जिला
करनाल।

The Petition was placed before the Committee in its meeting held on 0 12 2014 and the Committee considered the same and decided that said petition may be sent to the concerned Department for sending their comments within a period of 15 days The committee does not receive any reply from the department

The Committee orally examined the Director Development & Panchayats Department Haryana Deputy Commissioner Karnal and Petitioner in its meetings held on 27 05 2015 in which Director Development and Panchayat Haryana has placed the report of Deputy Commissioner Karnal vide their letter as under

प्रेषक

उपायुक्त करनाल।

सेवा में

महानिदेशक
विकास एवं पंचायत विभाग हरियाणा
चण्डीगढ़।

क्रमांक 5974/पंचायत दिनांक 26 5 15

विषय

महात्मा गांधी ग्रामीण बस्ती योजना के तहत अलाट हुये 100 100 वर्ग गज के प्लॉट व पी 0 ए 0 वाई 0 योजना के तहत जारी अनुदान राशि के सम्बन्ध में प्रस्तुत शिकायत पत्र की जांच करने बारे।

सन्दर्भ आपके कार्यालय के पत्र क्रमांक डी०एफ०ए० 6 82769 दिनांक 24 12 2014

उपरोक्त विषय बारे आपके कार्यालय के सन्दर्भित पत्र के साथ प्राप्त शिकायत पत्र की जाच खण्ड विकास एव पंचायत अधिकारी इन्द्री से करवाई गई। खण्ड विकास एव पंचायत अधिकारी इन्द्री ने अपनी रिपोर्ट क्रमांक स्पै० 1 दिनांक 26 05 2015 द्वारा निम्नप्रकार से रिपोर्ट भेजी है

- 1 यह कि शिकायत पत्र के साथ सलग्न सूचि में वर्णित 42 व्यक्तियों में से तत्कालीन ग्राम स्तरीय कमेटी द्वारा 28 व्यक्तियों को उक्त स्कीम के तहत पात्र मानते हुये उन्हें प्लाट अलाट किये हुये हैं तथा शेष 14 व्यक्तियों को अपात्र मानते हुये प्लाट अलाट नहीं किये गये जिनकी सूचि साथ सलग्न की गई है।
- 2 रिकार्ड अनुसार शिकायत पत्र के साथ सलग्न सूचि में वर्णित 2 व्यक्तियों को पी०ए०वाई० स्कीम के तहत मकान अनुदान की राशि जारी की गई है जो ठीक है।
- 3 इस गाव में तत्कालीन ग्राम पंचायत द्वारा कुल 274 व्यक्तियों को उक्त स्कीम के तहत प्लाट अलाट किये हुये हैं जिनकी वर्ष 2011 में रजिस्टरियाँ करवाई जा चुकी हैं जिनकी सूचि साथ सलग्न है।
- 4 शिकायतकर्ता श्री गुरदयाल निवासी भादसो द्वारा लिखित में दिया गया है कि उसने शिकायत पत्र में वर्णित सम्बन्धित रिकार्ड का निरीक्षण कर लिया है और निरीक्षण उपरान्त उसकी सन्तुष्टि हो गई है और वह अपनी शिकायत पत्र पर अब किसी प्रकार की कार्यवाही नहीं करवाना चाहता और शिकायत पत्र पर अब किसी प्रकार की कार्यवाही नहीं करवाना चाहता और शिकायत पत्र का दफतर दाखिल करने बारे अनुरोध किया है।

खण्ड विकास एव पंचायत अधिकारी इन्द्री की उक्त वर्णित रिपोर्ट अनुसार पात्र व्यक्तियों को ही 100 100 वर्गगज के प्लाट अलाट किये हुये हैं तथा पात्र व्यक्तियों को ही पी०ए०वाई० स्कीम के तहत अनुदान राशि जारी की हुई है और खण्ड विकास एव पंचायत अधिकारी इन्द्री ने शिकायत पत्र को दफतर दाखिल करने की सिफारिश की है।

अतः इस पत्र के साथ खण्ड विकास एव पंचायत अधिकारी इन्द्री की रिपोर्ट व अन्य दस्तावेज आपकी सेवा में भेजकर अनुरोध है कि इस शिकायत पत्र को दफतर दाखिल करने की सिफारिश की जाती है।

सलग्न उपरोक्त।

उपायुक्त करनाल।

The Director Development and Panchayats also placed a letter before the Committee in which the petitioner submitted that he has no grievance and he is satisfied with the action taken by the department

Petition is disposed off accordingly

2

PETITION RECEIVED FROM SHRI KARAN SINGH S/O SH RANDHIR SINGH YADAV, V P O DONGRA AHIR, TEHSIL KANINA, DISTT MAHINDERGARH, REGARDING REGISTRATION OF BOLERO JEEP FOR AGRICULTURAL USE

The Petition received from Shri Karana Singh reads as under

सेवा मे

श्रीमान चैयरपर्सन
पैटीशन कमेटी हरियाणा विधान सभा
चण्डीगढ़।

विषय खेती के काम के लिए बोलेरा कैम्पर गाड़ी का पर्सनल रजिस्ट्रेशन करवाने बारे।

महोदय

नम्र निवेदन यह है कि मैं गांव दौगडा अहीर जिला महेन्द्रगढ़ का रहने वाला हूँ। मैं और मेरा परिवार खेती का काम करते हैं और मेरे पिता जी के नाम पर करीबन दो एकड़ जमीन खेती की है। हमने खेती का काम करने के लिए बोलेरो कैम्पर गाड़ी खरीदी है ताकि खाद बीज ला सके और सब्जी वगैरा शहर ले जा सके। मोटर व्हीकल नियम के अनुसार जो व्हीकल खेती के काम के लिए खरीदे जाते हैं उनका प्रसन्नल रजिस्ट्रेशन कर दिया जाता है ताकि किसान को कोमर्शियल फीस न लगे। मैंने दिसम्बर 2014 में यह गाड़ी खरीदी थी लेकिन आज तक मेरा रजिस्ट्रेशन नहीं हुआ है। मैं कई दफा कनीना एस डी एम आफिस के चक्कर काट चुका हूँ। वहाँ पर रजिस्ट्रेशन की सीट पर मोहन बाबू जी को मैंने पेपर भी दे दिए थे। वे मुझे कहते रहे कि अगले महीने रजिस्ट्रेशन हो जायेगी लेकिन ऐसा कहते कहते उन्होंने चार महीने का समय निकाल दिया। मैं एस डी एम महोदय से भी इस मैटर में मिल चुका हूँ उन्होंने भी कहा कि यहाँ पर रजिस्ट्रेशन नहीं होगी। मैंने रजिस्ट्रेशन नहीं कर सकते तो लिखित में मुझे आब्रैक्ट कर दे लेकिन उन्होंने ऐसा नहीं किया। रजिस्ट्रेशन बाबू श्री मोहन ने तीन महीने के करीबन मेरे पेपर बिना मुझे रसीद दिए रखे और अब वापिस कर दिए हैं जिसके कारण मेरी पैनैल्टी भी बहुत बन गई है। मेरी आपसे प्रार्थना है कि मेरे साथ न्याय करवाकर मेरी गाड़ी पर्सनल यूज के लिए रजिस्टर्ड करवाई जाए। मौजूदा एस डी एम महोदय ने ही अपने कार्यकाल में दो बोलेरो कैम्पर की गाड़ियों की रजिस्ट्रेशन पर्सनल यूज के लिए की है लेकिन मेरी गाड़ी की पर्सनल यूज के लिए रजिस्ट्रेशन नहीं कर रहे जबकि मेरी कागजी कार्यवाही पूरी है। श्री मोहन जी जो कि रजिस्ट्रेशन सीट पर लगे हुए हैं उन्होंने 15 मई को मुझे कहा कि जमीन आपके नाम पर नहीं है आपके पिता जी के नाम पर इसलिए आपकी गाड़ी का पर्सनल रजिस्ट्रेशन नहीं किया जा सकता। सर यह हमारी दादा लाई जमीन है जो कि अब मेरे पिता जी के नाम पर है। मेरी अभी शादी भी नहीं हुई है और हम सयुक्त परिवार में रहते हैं तथा साथ में खेती का कार्य करते हैं।

मेरी आपसे प्रार्थना है कि उपरोक्त स्थिति को देखते हुए और रजिस्ट्रेशन एथोरिटी की गाईडलाईज के मुताबिक मेरे साथ न्याय किया जाए तथा जो पैनैल्टी एस डी एम आफिस के कर्मचारियों/अधिकारियों की देरी के कारण लग रही है उसके लिए भी अधिकारी/कर्मचारी की जिम्मेवारी फिक्स की जाए।

सधन्यवाद

भवदीय

(करण सिंह सपुत्र श्री रणधीर सिंह यादव)

गांव व पोस्ट आफिस दौगडा अहीर

तहसील कनीन जिला महेन्द्रगढ़

The Committee in its meeting held on 27 05 2015 orally examined the Sub Divisional Magistrate Kanina Distt Mahendergarh and the petitioner and made the following observations

कमेटी की ऑब्जर्वेशन

कमेटी के नोटिस में यह तथ्य लाया गया है कि इस मामले को पैटीशनर और सरकारी पक्ष (सब डिवीजनल मैजिस्ट्रेट कनीना जिला महेन्द्रगढ़) द्वारा आपसी सहमति से निपटा लिया गया है। इस को ध्यान रखते हुए इस पैटीशन को डिस्पोज-ऑफ किया जाता है।

3 PETITION RECEIVED FROM SHRI SANJEEV YADAV S/O SH RAM DASS YADAV, V P O SINGHVLI AHIR, DISTT BAGPAT, REGARDING CORRECTION OF REGISTRATION OF COMMERCIAL VEHICLE NO HR38M3508

The Petition received from Shri Sanjeev Yadav is as under

सेवा में

श्रीमान चेयरपर्सन
पैटीशन कमेटी
हरियाणा विधान सभा

विषय कामर्शियल वाहन सख्या HR38M 3508 कारिकार्ड ठीक करने बारे।

महोदय

निवेदन यह है कि मैंने उपरोक्त वाहन फरिदाबाद में रजिस्टर करवाया था। मैंने वह वाहन मेरठ में किसी व्यक्ति को बेच दिया था इसलिए मैंने फरीदाबाद प्रादेशिक परिवहन प्राधिकरण से एन ओ सी मेरठ के लिए ले ली थी। लेकिन वहां पर यह वाहन रजिस्टर नहीं हो सका क्योंकि हरियाणा के कुरुक्षेत्र प्रादेशिक परिवहन प्राधिकरण के यहां भी इसी नम्बर का रिकार्ड शो कर रहा था। एक वाहन सख्या यदि दो जगह पर शो होता है तो इससे लगता है कि कहीं कुछ न कुछ गड़बड़ी है। इस बात को क्लियर करने के लिए मैं प्रादेशिक परिवहन प्राधिकरण आफिस फरिदाबाद गया और उनसे इस बारे में बात करने पर उन्होंने कहा कि आप कुरुक्षेत्र जाए हो सकता है कि गलती से वहां यह कम्प्युटर में चढ़ गया हो। जब मैं कुरुक्षेत्र आफिस गया तो उन्होंने बताया कि उपरोक्त नम्बर का उनके पास कोई रिकार्ड नहीं है यह गलती से कम्प्युटर पर चढ़ गया हो। यह सारा रिकार्ड स्टेट इफार्मेशन आफिसर एन आई सी चण्डीगढ़ द्वारा मैनटेन किया जाता है। इसको ठीक करने के लिए कुरुक्षेत्र आफिस ने एन आई सी में लैटर भी लिख दिया। लेकिन एन आई सी में के अधिकारी कहते हैं कि ट्रांसपोर्ट कमिशनर के यहां से लैटर आने पर ही वे इसमें सुधार करेंगे।

महोदय इस रिकार्ड को ठीक करवाने के लिए मैं करीबन पिछले 6 7 महीने से परिवहन विभाग के कई चक्कर लगा चुका हूँ और लैटर भी लिख चुका हूँ लेकिन अभी तक उनकी तरफसे इस रिकार्ड को ठीक करने

के लिए कोई उचित कदम नहीं उठाया गया है। मेरी आपसे प्रार्थना है कि मेरे वाहन का रिकार्ड ठीक करवाकर आप मुझे न्याय दिलवाने का कार्य करें ताकि जिस व्यक्ति को मैंने यह वाहन बेचा है उसके नाम पर रजिस्टर हो सके।

सधन्यावाद

भवदीय

(सजीव यादव)

सपुत्र श्री रामदा यादव

ग्राम व डा सिधावली अहीर

जिला बागपत

The Petition was placed before the Committee in its meeting held on 04 05 2014 and the Committee considered the same and decided that said petition may be sent to the concerned Department for sending their comments within a period of 15 days The Committee received the reply from Office of Transport Commissioner Haryana Chandigarh vide their Memo No 37085/AT 1/ST II dated 24 08 2015 as under —

To

The Principal Secretary
Haryana Vidhan Sabha Secretariat
Chandigarh

Memo No 37085/AT I/ST II
Dated 24/8/15

Subject - Regarding correction of record of vehicle No HR 38M 3508

Kindly refer to your letter no HVS/Petition/15 16/12481 dated 12 8 2015 on the subject cited above

In this connection it is submitted that this office vide letter no 32418/AT I/ST II dated 29 07 2015 had directed the concerned Secretary RTA Faridabad/ Kurukshetra to send their report after inspecting the record of vehicle No HR 38M 3508 The Secretary RTA Kurukshetra informed that while effecting backlog entry of another vehicle No HR 38L 3508 the computer operator feed vehicle No HR 38M 3508 in Vahan software due to mistake Now the said mistake has been rectified by NIC Haryana A copy of compliance send by NIC vide e mail dated 18 08 2015 is enclosed please

Sd/
for Transport Commissioner
Haryana Chandigarh

कमेटी की ऑब्जर्वेशन

क्रमांक न 37085/AT 1/ST II दिनांक 24 08 15 जोकि ट्रांसपोर्ट कमीशनर हरियाणा चण्डीगढ़ से प्राप्त हुआ है। इसमें सूचित किया गया है कि आर टी ए कुरुक्षेत्र ने वाहन सख्या एचआर938एम 3508 को कम्प्यूटर सॉफ्टवेयर द्वारा गलती से वाहन सख्या एचआर938एम 3508 की जगह उठा लिया गया है। अब आर टी ए कुरुक्षेत्र द्वारा अपना रिकार्ड ठीक कर लिया गया है तथा एनआईसी हरियाणा द्वारा भी यह सुधार कर लिया गया है उपरोक्त पत्र समिति के समक्ष रखा गया। समिति ने निर्णय लिया है कि संबंधित विभाग के द्वारा शिकायत का निपटारा किया जा चुका है इसलिए याचिका को डिस्पोज ऑफ किया जाए।

The petition is disposed off accordingly

4 PETITION RECEIVED FROM SMT TEJWANTI, MPHS, PHC, SAMAR GOPALPUR, CHC CHIDI, DISTT ROHTAK REGARDING HBA ADVANCE OF SMT TAJWANTI, (MPHS)

The petition received from Smt Tejwanti MPHS reads as under

सेवा मे

चेयरपर्सन पेटिसन कमेटी
हरियाणा विधान सभा
चण्डीगढ़।

श्रीमान जी

सविनय निवेदन यह है कि मैं वर्तमान मे स्वास्थ्य विभाग मे PHC समर गोपाल पुर अन्तर्गत CHC चिडी जिला रोहतक मे MPHS के पद पर कार्यरत हू श्रीमान जी मैंने अपने विभाग से 2014 मे ग्रह निर्माण अग्रिम (HBA) एप्लाइ कर रखा था जिसकी वित्त विभाग के एक्छिक कोटे से स्वीकृती दे दी गई थी मेरे लोन की प्रथम किस्त जारी होने के समय मे CHC नारनौद जिला हिसार कार्यरत थी परन्तु प्रथम किस्त के पैसे अपने निर्माणधीन मकान पर खर्च करने के आवेदन किया परन्तु उसी दौरान मेरा तबादला हिसार से रोहतक हो गया।

श्रीमान जी मेरे लोन की दूसरी किस्त विभाग द्वारा स्वीकृत कर ली गई ओर उसका बजट सिविल सर्जन हिसार मे भेज दिया गया। श्रीमान जी सरकार द्वारा वित्त ऐतिहासिक कोटे (D O) से मेरे लोन कि दूसरी किस्त का बजट हिसार भेजने पर वहा के कर्मचारियो द्वारा अपने निजि लाभ के लिए D O कोटे के बजट मे किसी अन्य का बिल बना दिया गया अब स्वास्थ्य महानिदेशक पचकूला कि बजट शाखा व लेखा शाखा के सज्ञान मे यह सब सामने आने पर भी बजट वापसी का कोई रास्ता नजर नहीं आ रहा।

श्रीमान जी लोन से सम्बन्धित मेरे विभाग स्वास्थ्य महानिदेशक वित्त विभाग व सिविल सर्जन हिसार मे परस्पर पत्राचार चला रखा है परन्तु मेरे लोन का बजट वापस लेकर मेरे खाते मे डालने मे असमर्थ है।

श्रीमान जी मैं विधवा औरत हूँ और आपसे निवेदन करती हूँ कि कृपया करके मेरे लोन की दूसरी किस्त का बजट सिविल सर्जन हिसार से लेकर जिससे मेरी दूसरी किस्त जारी हो सके व मेरे मकान का निर्माण जा लम्बित है पूरा हो सके।

भवदीय

(ताजवन्ती)

MPHS PHC समर गोपालपुर

CHC चिडी जिला रोहतक

PH 09812761620

The Petition was placed before the Committee in its meeting held on 13 02 2015 and the Committee considered the same and decided that said petition may be sent to the concerned Department for sending their comments within a period of 15 days The Committee received the reply from Director General Health Services Haryana vide their Endst No 24/1(8) 3Lekha 2015/1296 dated 18 03 2015 as under—

प्रेषक

महानिदेशक

स्वास्थ्य सेवाएँ हरियाणा

सैक्टर 6 पंचकुला।

सेवा में

सिविल सर्जन हिसार।

यादी क्र० 24/टी(8) 3 लेखा 2015/

दिनांक

विषय

HBA लोन की अदायगी न करने बारे श्रीमति ताजवन्ती MPHS(F)।

उपरोक्त विषय पर आपके पत्र क्र० 1436 दिनांक 17 11 2014 के सदर में।

2

आप द्वारा श्रीमति ताजवन्ती MPHS(F) का जारी भवन निर्माण की दूसरी किस्त का बजट लिपिकीय गलती के कारण गलत अलाट होने के कारण कर्मचारी को DQ कोटे के बजट से अदायगी न होना बताया है। जबकि आप व आपके अधीन कार्यरत डी०डी०ओ० व लिपिक/सहायक/सम्बन्धित कर्मचारी जो इसी विषय को काफी समय से डील करते आ रहे हैं और उन्हें भली भाँति ज्ञान है कि वित्त विभाग से जो बजट DQ कोटे में अलाट किया है वह उसी उद्देश्य /purpose के लिए ही खर्च किया जाना होता है। यदि कर्मचारी का स्थानान्तरण रोहतक में हो भी गया था तो आपको यह बजट सरेन्डर करना चाहिये था। इससे स्पष्ट है कि इस केस में मिली भगत से यह गलती जानबूझ कर की गई है। इस विषय को सरकार ने गम्भीरता से लिया है और कर्मचारियों ने हरियाणा विधान सभा सचिवालय में पटीशन भी डाली है। आपकी उक्त कार्यवाही से विभाग की छवि घूमिल हुई है।

इसलिए आप इस बारे अपना स्पष्टीकरण प्रस्तुत करें कि इस DQ कोटे के बजट का Misuse क्यों किया गया ? इसके अतिरिक्त सम्बन्धित दोषी डी०डी०ओ० व लिपिक/सहायक के विरुद्ध अनुशासनिक कार्यवाही का प्रस्ताव एक सप्ताह के अन्दर 2 इस कार्यालय को भेजे ताकि सरकार को सूचित किया जा सके।

दिनांक

लेखा अधिकारी (सा०)
कृते महानिदेशक स्वास्थ्यसेवाएँ हरियाणा।
क्र० 24/टी(8) चलेखा 2015/

Thereafter Smt Tejwanti submitted application that her grievances were resolved and her case may be disposed off. Application submitted by Smt Tejwanti reads as under

सेवा मे

चेयर पर्सन पेटीसन कमेटी
हरियाणा विधान सभा
चण्डीगढ़।

श्रीमान जी

सविनय निवेदन यह है कि मैंने अपने विभाग से HBA आवेदन किया था जिसकी दूसरी किस्त जारी होने में विभागीय गलतियाँ हुई थी जिसकी शिकायत मैंने आपकी कमेटी में की थी अतः श्रीमान जी आपके सहयोग से मेरी HBA की दूसरी किस्त का भुगतान हो चुका है इसलिए मैं इसलिए आपका धन्यवाद करते हुए इस मामले को समाप्त करने का अनुरोध करती हूँ।

धन्यवाद।

भवदीय
(Tajwanti)
MPHS समर गोपा
रोहतक।

The petition is disposed off accordingly on 03 06 2015

5

**PETITION RECEIVED FROM SHRI MUKESH DAGAR S/O LATE
SHRI LALA RAM, V P O BHKLI, TEHSIL & DISTT REWARI,
REGARDING ISSUE OF DEATH CERTIFICATE**

The Petition received from Shri Mukesh Dagar reads as under

सेवा मे

श्रीमान चैयरमेन महोदय
याचिका कमेटी
हरियाणा विधानसभा
चण्डीगढ।

विषय

जिला रेवाड़ी के जन्म मृत्यु रजिस्ट्रार द्वारा 80 महीने के बाद भी मिसरी देवी पत्नी स्व० श्री लालाराम
गोंव व डा० भाकली जिला रेवाड़ी का मृत्यु प्रणाम पत्र जारी नहीं करना।

माननीय महोदय जी

निवेदन यह कि मेरी माता जी मिसरी देवी पत्नी स्व० श्री लालाराम गोंव भाकली जिला रेवाड़ी का
स्वर्गवास 25 मई 2010 को घर पर हो गया था। सभी आवश्यक दस्तावेज SMO Kosli द्वारा प्रमाणित करवाकर 9
मार्च 2015 को तीसरी बार जमा रजिस्ट्रार CMO Rewari करवाया था जिसमे विभाग SMO Kosli के दस्तावेज मे
कभी बताकर फिर पैन्डिंग डाल दिया। प्रार्थी को प्रणाम पत्र न मिलने के कारण अत्यन्त गम्भीर नुकसान हो रहा है।

अतः आपसे विनम्र अनुरोध करते हुए उन सभी दस्तावेज की फोटोकॉपी सलगनार्थ कर रहा हूँ
और मेरी माता की मृत्यु प्रणाम पत्र दिलाने की कृपा करें।

आपकी अति कृपा होगी।

सधन्यवाद

प्रार्थी

मुकेश डागर पुत्र स्व० श्री लालाराम
पूर्व बी जे पी मण्डल उपाध्यक्ष मण्डल नाहड
गोंव व डाकखाना भाकली
तह० व जिला रेवाड़ी (हरियाणा) पिन 123302
मो० न० 09050866299

सलगनार्थ

- 1 मृत्यु जन्म रजिस्ट्रार कॉपी ANM Bhakli व D DR G H /SMO Kosli द्वारा प्रणामित।
- 2 कॉपी दो पड़ोसी गवाहों की रजिस्ट्रार द्वारा प्रमाणित।
- 3 मृतका के पौचो सन्तानों के हलफनामों की कॉपी।
- 4 सरपंच नम्बरदार की गवाही की कॉपी।
- 5 MPHW Bhakli द्वारा प्रमाणित कॉपी।

The Petition was placed before the Committee in its meeting held on 03 06 2015 the Committee considered the same and decided that the said petition may be sent to the concerned Department for sending their comments within a period of 15 days The Committee received the reply from Chief Registrar Birth and Death and Director General Health Services Haryana Panchkula vide their letter No Compt 1SBHI ST 1/2015/6167 dated 06 07 2015 as under

क्रमांक compt 1SBHI ST 1/2015/6167

दिनांक 6/7/15

प्रेषक

चीफ रजिस्ट्रार जन्म मृत्यु एव
महानिदेशक स्वास्थ्य सेवाए हरियाणा
पचकूला।

सेवा मे

प्रधान सचिव
हरियाणा विधान सभा सचिवालय
चण्डीगढ़।

विषय

Regarding issue of Death certificate (Mishri Devi W/o Late Sh Lala Ram)

उपरोक्त विषय पर आपके क्रमांक HVS/Petition/15 16/8860 dated 05 06 2015 के सदर में।

उपरोक्त विषय एव सदर्थित पत्र द्वारा श्री मुकेश कुमार पुत्र श्री लाला राम गाव भाकली जिला रेवाडी द्वारा विधान सभा कमेटी के समक्ष श्रीमति मिश्री देवी पत्नी स्व० श्री लाला राम का मृत्यु घटना के सम्बन्ध में डाली गई petition के बारे में जिला रजिस्ट्रार जन्म मृत्यु रेवाडी से जाच करवाने व इसका समाधान करने के लिए इस कार्यालय के पत्र क्रमांक 2/49 SBHI 2015/5562 दिनांक 24 06 2015 द्वारा लिखा गया था।

उन्होंने सूचित किया है कि मिश्री देवी पत्नी स्व० श्री लाला राम का मृत्यु प्रणाम पत्र रजिस्ट्रार जन्म मृत्यु सिविल हस्पताल कोसली के कार्यालय द्वारा जारी कर दिया गया है (पत्र क्रमांक 876 दिनांक 26 05 2015) प्रति सलग्न है। इसके अतिरिक्त प्रार्थी की petition पर कोई कार्यवाही अपेक्षित प्रतीत नहीं होती। अतः आपको सूचनार्थ एव आवश्यक कार्यवाही हेतु प्रेषित है।

उप निदेशक (एम एण्ड ई)
कृते महानिदेशक स्वास्थ्य सेवाए हरियाणा।

The Committee in its meeting held on 11 06 2014 considered the reply and made the following observations

पत्र क्रमांक compt 1SBHI ST 1/2015/6167 दिनांक 6 7 15 जोकि चीफ रजिस्ट्रार जन्म मृत्यु एव महानिदेशक स्वास्थ्य सेवाए हरियाणा पचकूला से प्राप्त हुआ है। इसमें सूचित किया गया है कि मिश्री देवी पत्नी स्व० श्री लाला राम का मृत्यु प्रणाम पत्र रजिस्ट्रार जन्म मृत्यु सिविल हस्पताल कोसली द्वारा जारी कर दिया गया है उपरोक्त पत्र समिति के समक्ष रखा गया। समिति ने निर्णय लिया है कि चुकि याचिका की शिकायत का निपटारा किया जा चुका है इसलिए याचिका को डिस्पोज ऑफ किया जाता है।

6 PETITION RECEIVED FROM SH JATIN BATRA S/O SH RAVINDER BATRA 203, SUBHASH NAGAR, ROHTAK REGARDING CAR IMPOUND

The Petition received from Shri Jatin Batra reads as under

सेवा मे

श्रीमान अध्यक्ष महोदय
याचिका समिति हरियाणा विधान सभा
चण्डीगढ़।

श्रीमान जी

निवेदन यह है कि दिनांक 09 07 2015 को एस एच ओ थाना सिविल लाईन ने मेरी गाडी न एच आर 26 बी ए 6254 बैगनार एफ आई आर न 351 के तहत बन्द कर दी थी। जिसका मैंने कई बार गाडी छुडवाने का प्रयास किया तथा एस पी रोहतक को भी पत्र लिखकर तथा मौखिक रूप से सूचित किया कि उक्त गाडी मे मेरी 2 लाख 88 हजार रुपये की ज्वैलरी भी मौजूद है। लेकिन मेरी कोई बात नही सुन रहा है। असवैधानिक तरीके से मेरी गाडी बन्द पडी है इस बारे मेने आइ जी साहब को भी पत्र दिया था। कृप्या मुझे न्याय दिलवाया जाए।

प्रार्थी

(जतिन बत्रा)

सुपुत्र श्री रविन्द्र बत्रा

203 सुभाष नगर रोहतक।

दिनांक 23 07 2015

मो 9215562132

The Petition was placed before the Committee in its meeting held on 04 08 2015 and the Committee considered the same and decided that said petition may be sent to the concerned Department for sending their comments within a period of 15 days The Committee received the reply from Superintendent of Police Rohtak vide their letter No 44581 dated 15 09 2015 as under

प्रेषक

पुलिस अधीक्षक
रोहतक।

सेवा मे

प्रिंसिपल सेक्रेटरी
हरियाणा विधान सभा सचिवालय चण्डीगढ़।

क्रमांक 44581 दिनांक 150975

विषय कार ईम्प्लाऊड बारे

यादी

कृप्या आपके कार्यालय के पत्र क्रमांक एच0वी0एस0/पिटीशन/15 16/12414 दिनांक 15 08 15 के सन्दर्भ मे।

उपरोक्त विषय के सम्बन्ध मे जाच उप पुलिस अधीक्षक मुख्यालय रोहतक से करवाई गई है। जाँच से पाया गया है कि परिवाद के सम्बन्ध मे सतीश कुमार पुत्र श्री देवी चन्द वासी नेहरू कालोनी रोहतक की

दरखास्त पर अभियोग सख्या 315 दिनांक 9 7 15 धारा 427 भा द स थाना सिविल लाईन रोहतक मे अकित है। जिसकी तफतीश प्रधान सिपाही हसराम द्वारा की गई। दौरान तफतीश गाडी वैगनार न HR 26BA 6254 को कब्जा पुलिस मे लिया गया व आरोपी पवन पुत्र श्री जयभगवान वासी 109/12 फतेहपुरी कालोनी रोहतक को गिरफ्तार किया गया तथा अपराध जमानतीय होने के कारण आरोपी पर जमानती तफतीश से पाया गया कि सुरेन्द्रा एडवाईज कम्पनी वेगु रोड सिरसा द्वारा नगर निगम रोहतक मे विभिन्न स्थानो पर विज्ञापन व फलैक्स बोर्ड आरोपी पवन व अन्य साथियो द्वारा फाड़ने की वजह से कम्पनी को आर्थिक व व्यवसायिक नुकसान होना पाया गया है। मामला असज्जेय अपराध का पाया जाने पर अभियोग मे दिनांक 07 08 15 को श्री नवीन कुमार निरीक्षक प्रबन्धक थाना सिविल लाईन रोहतक द्वारा अखराज रिपोर्ट अकित की जा चुकी है। जिस सम्बन्ध मे उप पुलिस अधिक्षक मुख्यालय रोहतक द्वारा परिवाद की जाच उपरान्त प्रबन्धक अफसर थाना सिविल लाईन रोहतक को अभियोग मे कब्जा पुलिस मे ली गई। गाडी वैगनार न HR 26BA 6254 का नियमानुसार निपटान करने बारे जॉच अधिकारी द्वारा निर्देश दिये गये है। इस सम्बन्ध मे स उ नि रोशनलाल न 179/रोहतक की लापरवाही पाये जाने पर उसको पुलिस लाईन हाजिर किया गया तथा उसके विरुद्ध विभागीय जॉच इस कार्यालय के आदेश क्रमांक 41697 700 दिनांक 02 09 15 द्वारा आरम्भ की जा चुकी है। स उ नि रोशनलाल न 179/रोहतक के विरुद्ध नियमित विभागीय जाच उप पुलिस अधिक्षक मुख्यालय रोहतक द्वारा की जा रही है। रिपोर्ट सेवा मे प्रेषित है।

पुलिस अधीक्षक
रोहतक।

Thereafter petitioner Shri Jatn Batra submitted a application with reference to his petition regarding car impound which was placed before the Committee in its meeting held on 14 10 2015 in which he has mentioned that his car has been handed over to him and necessary action has been taken He has further requested that his petition may be disposed off The application of Shri Jatn Batra reads as under

सेवा मे

अध्यक्ष
याचिका समिति
हरियाणा विधानसभा चण्डीगढ़।

श्रीमान जी

निवेदन यह है कि मैने एक शिकायत अपनी गाडी न0 HR 26 BA 6254 के बारे दे रखी है। रोहतक पुलिस ने सम्बन्धित अधिकारी के खिलाफ कानून कारवाई दी है तथा मुझे गाडी दे दी है। अत आपसे प्रार्थना है कि मै और कोई कारवाई नही चाहता।

धन्यवाद।

प्रार्थी
जतिन बत्रा S/O
श्री रविन्द्र कुमार
203 सुभाष नगर रोहतक।

Hence the Committee disposed off the petition

7 PETITION RECEIVED FROM SHRI SANDEEP KUMAR S/O SH JAIPAL SINGH, VILL. BADOLI, DISTT PANIPAT REGARDING CLAIM UNDER CHIEF MINISTER S DUDHARU PASHU BIMA YOJNA

The Petition received from Shri Sandeep Kumar reads as under

सेवा मे

चेयरमैन याचिका कमेटी

हरियाणा विधान सभा

चण्डीगढ।

श्री मान जी

प्रार्थना है कि मैं सन्दीप कुमार पुत्र स्वर्गवासी श्री जयपाल सिंह गाव बडौली जिला पानीपत का रहने वाला हूँ हमारी मैस मुख्यमन्त्री दुधारु पशु बीमा योजना के तहत 50 000/ Rs का बीमा था मैस अचानक बीमार होकर मर गई हमने पुरी कार्यवाही करके file Panipat से करनाल तथा पचकूला डिप्टी डायरेक्टर Panipat Animal Husbandry के through भिजवाई जिसका आठ महीने से भी अधिक समय हो गया है। हमे आज तक कुछ भी नहीं मिला है। पचकूला आता हू तो कहते है कि तुम्हारी फाईल यहा नहीं आई है। पानीपत जाता हू वो कहते है कि तुम्हारी फाईल पचकूला मे है मे बहुत परेशान हू हम गरीब आदमी है। पानीपत के डिप्टी डायरेक्टर तथा कर्त्क विनोद को हमारे केस का पूरा पता है अत आप से प्रार्थना है कि इन दोनो को यहा Record सहित बुलाया जाए। तभी हमारी समस्या का समाधान होगा।

सन्दीप कुमार

सन्दीप कुमार पुत्र श्री जयपाल सिंह

गाव बडौली

जिला पानीपत।

Mob 08814859121

The Petition was placed before the Committee in its meeting held on 06 07 2015 and the Committee considered the same and decided that said petition may be sent to the concerned Department for sending their comments within a period of 15 days Thereafter Committee received the application from Sandeep Kumar vide which he has stated that he has received the compensation and his grievances was settled therefore his petition may be disposed off The application of Shri Sandeep Kumar reads as under

सेवा में

चेयरमैन याचिका कमेटी
हरियाणा विधान सभा
चण्डीगढ़।

श्री मान जी

प्रार्थना है कि मैं सन्दीप कुमार पुत्र स्वर्गवासी श्री जयपाल सिंह गाव बडौली जिला पानी का रहने वाला हूँ। हमारी भैस का मुख्यमन्त्री दुधारू पशु बीमा था। जिसका हमें 50 000/ रुपये बीमा मिलना था अब वो हमें दिनांक 27 8 2015 को 50 000/ रुपये का Cheque मिल गया है अब मैं अपनी Application वापिस लेता हूँ।

सन्दीप कुमार

The application of Shri Sandeep Kumar was placed before the Committee in its meeting held on 24 09 2015 The Committee considered the same and made following Observation

समिति की ऑब्जर्वेशन

समिति के पास श्री सन्दीप कुमार पुत्र श्री जयपाल सिंह गाव बडौली जिला पानीपत की याचिका प्राप्त हुई थी जिस पर समिति ने विभाग से उसके बारे में पूछा था। इसी दौरान श्री सन्दीप कुमार ने समिति को सूचित किया है कि उसकी भैस का मुख्यमन्त्री दुधारू पशु बीमा हुआ था तथा दिनांक 27 8 2015 को उसने 50 000/ रुपये मुआवजे का चेक सरकार की तरफ से मिल गया है। अतः उसकी याचिका का निपटारा कर दिया जाये। उपरोक्त तथ्यों को ध्यान में रखते हुये समिति ने यह निर्णय लिया है कि श्री सन्दीप कुमार की याचिका का निष्पादन कर दिया जाये।

8 PETITION RECEIVED FROM SHRI SANDEEP MATHUR, H NO 278, SECTOR 7, GURGAON-122001, REGARDIN COMPLAINT AGAINST M/S PARSVNATH DEVELOPERS LTD ,

The Petition received from Shri Sandeep Mathur reads as under

26th June 2015

To

Hon ble Chairperson
Committee on Petitions
Haryana Vidhan Sabha
Chandigarh

Subject Cheating and forgery by Mr Pradeep Jain Chairman Parsvnath Developers Limited Mr Sanjeev Jain M D & CEO Parsvnath Developers Limited Dr Rajeve Jain Director (Marketing) Parsvnath Developers Limited and others on the pretext of providing flats villas and plots in Parsvnath Pleasant Dharuhera (N H 8 Near Haryana Tourism) project of Parsvnath Developers Limited

Sir

With due respect I wish to bring to your kind attention massive scam of cheating and forgery by Mr Pradeep Jain Chairman Parsvnath Developers Limited Mr Sanjeev Jain M D & CEO Parsvnath Developers Limited Dr Rajeve Jain Director (Marketing) Parsvnath Developers Limited and others on the pretext of providing flats villas and plots in various projects of Parsvnath Developers They had approached me to invest in their project and misrepresented that the said business firm is having a good name and reputation in the field of construction They claimed that their project would be ready for possession by the year 2009 with all modern facilities They also assured me of a good return and the location of their project was in the best residential area Believing on their misrepresentation and inducement I had booked one flat and was allotted a Flat No T2 1001 after I paid amount of Rs 9 03 675/ Copy of receipts are annexed as Annexure I After some time I got to know that entire project is on papers and there is no development on the site and I have been cheated by the developer I went to the office of the developer and met their team who told me to forget the money and flat or else be ready to face dire consequences Me and my representatives have tried several times to contact above mentioned persons but they continue to avoid meeting me on one pretext or another

I repeatedly enquired about the delivery of my flat but received no satisfactory reply I came to know that thousands of other innocent people have also been cheated like me by them They have taken several crores of rupees from hundreds of innocent people like me illegally by committing forgery and fraud through fake advertisements and false promises by Parsvnath Developers and their agents

I tried to contact them several times but could not succeed I had sent my representatives last week to their office located at Dharuhera to inquire whereabouts of Mr Pradeep Jain Chairman Parsvnath Developers Limited Mr Sanjeev Jain M D & CEO Parsvnath Developers Limited Dr Rajeev Jain Director (Marketing) Parsvnath Developers Limited and the status of my flat They were threatened and were told to forget the flat and money otherwise I will have to face dire consequences More than eight years have passed and I have neither received my flat no my money Like me hundreds of hapless customers and investors are in search of Sh Mr Pradeep Jain Chairman Parsvnath Developers Limited Mr Sanjeev Jain M D & CEO Parsvnath Developers Limited Dr Rajeev Jain Director (Marketing) Parsvnath Developers Limited and their agents but to no avail they have not been given plots/villas/flats though several crores have been received illegally by Parsvnath Developers Limited and their agents

The said builder had raised several crores of rupees from thousands of innocent people by raising false advertisements and appointing agents on the pretext of developing several colonies in India The hapless customers are forgery and threatening me and my representatives of dire consequences The case may be investigated by a senior serving IPS officer and they may kindly be arrested punished under various sections of law and they may also kindly be directed to give possession of my booked flat to me It is further requested that the bank accounts/property of Parsvnath Developers Limited may kindly be sealed as it is anticipated that may flee from country along with the liquid funds as well as by selling the property

It is therefore requested that case may be listed in Committee on Petitions and the top management of Parsvnath Developers Limited be summoned

Thanking You

Your sincerely

Postal Address

House No 278
Sector 7 Gurgaon 122001
+919212242471

(Sandeep Mathur)

The Petition was placed before the Committee in its meeting held on 06 07 2015 and the Committee considered the same and decided that said petition may be sent to the concerned Department for sending their comments within a period of 15 days Thereafter Committee received the application dated 26 06 2015 from Shri Sandeep Mathur vide which he has stated that his grievances was settled therefore his petition may be disposed off The application of Shri Sandeep Mathur reads as under

To

The Haryana Vidhan Sabha

Sub Withdrawal of Complaint dated 26 6 2015

Respected Sir

This is with reference to the Complaint bearing No led by me with regard to refund of the amount paid by me towards Flat bearing No T2 1001 in the Project named as Pleasant Dharuhera of Parsvnath Developers Ltd

It is submitted that the disputes and differences which had prompted me to file the afore stated complaint have been settled amicably between me and Parsvnath Developers Ltd whereas Parsvnath Developers Ltd has refunded me the entire amount paid by me towards Flat bearing No T2 1001 in the Project named as Pleasant Dharuhera as per the terms of the settlement arrived at Now I have no grouse or any claim against Parsvnath Developers Limited or any of its officers My grievances have been fully redressed by Parsvnath Developers Ltd

In view of the Memorandum of Settlement dated 20th August 2015 executed between me and Parsvnath Developers Limited I respectfully submit that I do not wish to pursue the abovesaid complaint and the same may kindly be treated as withdrawn

Thanking You

Yours faithfully

Mr Sandeep Mathur
278 Sector 7
Urban Estate Gurgaon 122001

C C to Parsvnath Developers Ltd
Parsvnath Metro Tower
Near Shandara Metro Station
Shandara Delhi 110032

The application of Shri Sandeep Mathur was placed before the Committee in its meeting held on 11 09 2015 The Committee considered the same and disposed off the petition

9 PETITION RECEIVED FROM SHRI CHUNI LAL KUMAR 78, NEW HAMIDA COLONY, YAMUNA NAGAR REGARDING FDR S OF HIS WIFE SMT SHAKUNTALA RANI

The Petition received from Shri Chunni Lal Kumar reads as under

Date 24 11 2015

To

The Petition Committee
Vidhan Sabha Haryana
Chandigarh

Respected Sir

Respectfully I beg to say that my family FDRs in Unitech Ltd Gurgaon The amount of FDRs are matured is Jan 2015 & March 2015 yet no amount has been received from the company

My wife Mrs Shakuntala Rani age 80 years lady injured due to accident her right leg got fractured She was admitted in J P Hospital Yamuna Nagar from 12 9 2015 to 14 10 2015 Her leg sugery completed with some medicated plates and screw fixation We have to spend around two lakh on her trerent Now I badly need of money I request your honour to help me in this matter & ghe full payment of my family from the Unitech Ltd Co at the earliest possible I am a patent of heart problem & getting the treatment from Ganga Ram Hospital Delhi

	Amount	F D	Rs No	Mahurty
(1) Shakuntla Rani	Rs 60000		1207330	15 1 15
(2) Chunni Lal Kumar	Rs 60000		1214350	23 3 15
(3) Tarun Kumar	Rs 40000		1210998	15 3 15
(4) Pooja Kumar	Rs 40000		1211015	15 3 15

Thaking you

Yoursfaithfully
Chunni Kumar
78 New Hamida Colony
Yamuna Nagar
Mob 09996608520

Encl

- 1 Phtostate copy of F D Attached
- 2 Phtostate copy of F D Attached

The Petition was placed before the Committee in its meeting held on 11 12 2015 and the Committee considered the same and decided that said petition may be sent to the concerned company for sending their comments within a period of 15 days. The Committee did not receive any reply. The Committee orally examined the Representative of M/s Unitech Limited and the Petitioner in its meeting held on 04 06 2014 and made following observations

समिति की अनुशंसा

समिति यह सिफारिश करती है कि 15 दिनों के अंदर अंदर यूनीटेक लिमिटेड पेटिशनर श्री चुन्नी कुमार को उसकी पूरी मैच्योरिटी जो राशि देय बनती है वह राशि तथा इसके अलावा जिस तारीख से मैच्योरिटी बनती थी उस तारीख से आज तक ब्याज भी दे तथा इसकी सूचना समिति को भेज दे ताकि केस का निपटारा किया जा सके। अगर ऐसा नहीं होता है अगली मीटिंग में यूनीटेक लिमिटेड के एम0डी0 को स्वयं हाजिर होना पड़ेगा।

Shri Chuni Lal Kumar has sent a letter vide which he stated that his matter has been resolved and he got all FDR money from Unitech Ltd. Committee considered the application of Shri Chuni Lal Kumar in its meeting held on 18 02 2016 and Committee observed that no relief has been left. Hence the petition is disposed off accordingly.

10 PETITION RECEIVED FROM SHRI RAJ SINGH S/O SH SARDARA SINGH & ORS, REGARDING COMPENSATION AGAINST THE DAMAGE/ ACQUISITION OF AGRICULTURE LAND DUE TO SEPAGE AND HIGH VOLTAGE TOWERS IN VILLAGE SUTANA, DISTT, PANIPAT

The petition received from Shri Raj Singh & Ors reads as under

सेवा में

माननीय चेयरमैन महोदय
पेटिशन कमेटी
हरियाणा विधान सभा
चण्डीगढ़।

विषय

गांव सुताना उप तहसील तमलौड़ा जिला पानीपत की पेटिशनर की निम्नलिखित भूमि को पानीपत थर्मल पावर स्टेशन पानीपत के पानी की सीपेज व जमीन में High Voltage Towers लेगे होने की वजह से हुए नुकसान का पूर्व में अन्य किसानों को दिए गए मुआवजे व मार्केट रेट/सरकार की नीति के आधार पर मुआवजा दिलाने व मार्केट रेट/सरकार की नीति के आधार पर मुआवजा दिलाने व मार्केट रेट/सरकार की नीति के आधार पर भूमि को अधिग्रहण करने बारे प्रार्थना पत्र।

- 1 अतिरिक्त मुख्य सचिव पावर विभाग हरियाणा चण्डीगढ़
- 2 प्रबंध निदेशक Haryana Power Generation Corporation Ltd शक्ति भवन पंचकूला

- 3 चीफ इंजीनियर पानीपत थर्मल पॉवर स्टेशन Haryana Power Generation Corporation Ltd पानीपत
- 4 उपायुक्त पानीपत

प्रतिवादी

मान्यवर

सविनय निवेदन यह है कि पटिशनर्ज गांव सुलताना उप तहसील मतलौडा जिला पानीपत के रहने वाले हैं तथा हमारी कृषि भूमि खेवट न० 209मिन//180 खतौनी न० 419 मुस्तील न० 4 किला न० 22 23 24 25 मस्तील न० 5 किला न० 21 खतौनी न० 420 मुस्तील न० 4 किला न० 21/2 किते 6 रकबा 39 कनाल 11 मरले खेवट न० 207 मिन//178 खतौनी न० 415 मुस्तील न० 7 किला न० 2 3 7/1 मुस्तील न० 72 किला न० 23/2 खतौनी न० 416 417 मुस्तील न० 7 किला न० 6/2 4 5 किते 7 कुल रकबा 44 कनाल 9 मरले स्थित ग्राम सुताना उप तहसील मतलौडा जिला पानीपत के मालिक है। हमारी यह भूमि काफी उपजाऊ थी जिसमे हर किसम की फसल अच्छी पैदावार देती थी। हमारी भूमि वर्ष 1996 तक ठीक तरह से फसल की पैदावार देती रही मगर उसके बाद पानीपत थर्मल पॉवर स्टेशन पानीपत के पानी की सीपेज व जमीन में High Voltage Towers लगे होने की वजह से पानी भर गया जिसके कारण जब भी हम कोई फसल काशत करते तो हमारी फसल खराब हो जाती रही है जिसका पूरा विवरण खसरा गिरदावरी में भी दिया गया है तथा इस बारे में उपायुक्त पानीपत ने अपनी रिपोर्ट क्रमांक 1348/3 6 2015 में लिखा है कि उक्त भूमि पर रबी 1998 के बाद से कोई फसल काशत नहीं हुई है और उसी समय से इस भूमि में थर्मल पॉवर प्लाट पानीपत के पानी के सीपेज की वजह से पानी भरा हुआ है। यह सारा रकबा 1998 से खाली पड़ा है क्योंकि इस रकबा में वर्ष 1998 के बाद से जब भी फसल की बिजाई की जाती है तो फसल खराब हो जाती है।

यह रकबा थर्मल पॉवर प्लाट पानीपत के बीचोबीच स्थित है तथा इस रकबे के ऊपर से 11000 High Voltage की 10 Tower Line गुजर रही है तथा एक एकड़ में 3 टॉवर लगे हुए हैं जिनकी वजह से हर तीसरे दिन आग लग जाती है। इस गर्मी के सीजन में अभी हाल ही में 6 बार आग लग चुकी है।

उपरोक्त तथ्यों को नायब तहसीलदार मतलौडा जिला पानीपत की रिपोर्ट दिनांक 4 4 2001 व 12 05 2010 तहसीलदार पानीपत की रिपोर्ट क्रमांक 408 दिनांक 10 5-2012 S D M समालखा व नायब तहसीलदार मतलौडा की संयुक्त मौका निरीक्षण रिपोर्ट दिनांक 22 5 2015 लैटेस्ट जमाबंदी व गिरदावरी तथा उपायुक्त पानीपत का पत्र क्रमांक 1348 दिनांक 3 6 2015 प्रमाणित करते हैं जिनकी पतिलिपिया साथ में सलग्न की जाती है।

इस प्रकार हमारी भूमि में फसल की पैदावार न होने व फसल खराब होने की वजह से 1996 से हमें बहुत आर्थिक नुकसान हो रहा है जिसकी वजह से हम गरीब किसान मुखमरी की कगार पर आ गये हैं। उपरोक्त परिस्थितियों को मद्देनजर रखते हुए हमारी उपरोक्त भूमि को सरकार के नियमानुसार अधिग्रहण किया जाना अत्यंत आवश्यक है।

यहां पर यह भी उल्लेखनीय है कि उपरोक्त समस्या को दृष्टिगत रखते हुए सरकार ने गांव सुताना व जाटल जिला पानीपत के अधिकतर किसानों को मुआवजा प्रदान किया है तथा उनकी जमीन को मार्केट रेटस या इससे भी ज्यादा दरो पर अधिग्रहण कर लिया है।

इस सबध मे ईश्वर सिंह सुपुत्र श्री आशा राम निवासी गाव सुताना जिला पानीपत व बलवान सिंह सुपुत्र श्री रविदत्त निवासी गाव जाटल जिला पानीपत के दृष्टात उदाहरण है जिनकी जमीन को सरकार द्वारा अधिग्रहण किया गया है। सरकारी द्वारा बलवान सिंह को जमीन की रोयल्टी भी मिल रही है तथा इस सबध मे प्रासंगिक डाक्यूमेंटस इस पटिशन के साथ सलगन है।

उपरोक्त समस्या को लेकर हम पिछले 15 वर्षों से बिजली विभाग उपायुक्त महोदय व नायब तहसीलदार तहसीलदार व SDM तथा उच्चाधिकारियों के दफ्तरों में चक्कर काट काटकर थक गये हैं लेकिन हमें अभी तक न्याय नहीं मिला है जिनकी प्रतिलिपिया इस पटिशन के साथ सलगन हैं। इसलिए अपनी इस समस्या के समाधान हेतु मजबूरन हमें हरियाणा विधान सभा की पटिशन कमेटी की शरण लेनी पड़ रही है।

अतः उपरोक्त परिस्थितियों को मद्देनजर रखते हुए आपसे प्रार्थना है कि कृपया पेटिशनर्स की पटिशन पर सुनवाई की जाए। उपरोक्त प्रतिवादियों को पटिशन कमेटी के सम्मुख बुलाकर वस्तुस्थिति का सज्जान लेकर ग्राम सुताना जिला पानीपत में स्थित हमारी उक्त वर्णित जमीन में थर्मल पावर प्लांट पानीपत के पानी की सीपेज व High Voltage Line की वजह से हुए नुकसान का मुआवजा दिलाया जाए तथा हमारी उक्त जमीन को पूर्व प्रेसीडेंटस के आधार पर मार्किट रेट्स/सरकार की नीति के अनुसार अधिग्रहण करवा ली जाए ताकि हम गरीब किसान दूसरी जगह पर भूमि खरीदकर अपना व अपने परिवारों का निर्वाह चला सके। आपकी अति कृपा होगी।

सादर।

पटिशनर्स

- 1 राज सिंह सुपुत्र श्री सरद्वारा सिंह
- 2 गजराज सुपुत्र श्री सरद्वारा सिंह
- 3 राजेन्द्र सुपुत्र श्री सरद्वारा सिंह
- 4 रमेश सुपुत्र श्री सरद्वारा सिंह
- 5 सजय सुपुत्र श्री बलबीर
- 6 तेजपाल सुपुत्र श्री जिले सिंह
- 7 प्रताप सिंह सुपुत्र श्री जिले सिंह

निवासियान गाव सुताना उप तहसील मतलौडा जिला पानीपत

मोबाईल 09813856001 09050860261

दिनांक

The Petition was placed before the Committee in its meeting held on 18 08 2015 and the Committee considered the same and decided that said petition may be sent to the concerned Department for sending their comments within a period of 15 days. The Committee did not receive any reply and a reminder was sent on

14 10 2015 The Committee received the replies from O/o Managing Director HPGCL Panchkula vide their Memo No Ch 2/CMDP 1/829/L dated 19 10 2015 and Deputy Commissioner Panipat Memo No 3498/SK Dated 21 10 2015 which are as under

From

Managing Director
HPGCL Panchkula

To

Principal Secretary
Haryana Vidhan Sabha Secretariat
Chandigarh
Memo No Ch 2/CMDP 1/829/L

Dated 19 10 2015

Subject Representation of Sh Raj Singh & other residents of village Sutana, Distt , Panipat — Regarding grievances of Petitioners

Please refer your office memo no HVS/Petition/15 16/12844 dated 19 08 2015 addressed to DC Panipat and MD/HPGCL Panchkula vide which photo copy of petition received from Sh Raj Singh & other residents of village Sutana Distt Panipat was forwarded to their office for comments

The para wise comments are as under please

- 1 It is admitted that the land of the applicant is situated adjacent to the Panipat Thermal Power Station Panipat The copy of aks sijra is enclosed at **Annexure-1** and copy of land plan showing the location of Power Station and the land of village Sutana is enclosed at **Annexure-2**
- 2 Therefore Regarding loss of fertility of soil in the land in question due to seepage of water from the plant CWP no 19456 of 2008 was filed in the Hon ble Punjab & Haryana High Court Chandigarh by Ramesh Kumar & others V/s State of Haryana & others with a prayer that Thermal Plant be directed to make the land cultivable The CWP no 19456 of 2008 has already decided by the Honible Punjab & Haryana High Court Chandigarh on dated 13 03 2012 (**Annexure-3**) with the following decision

'We are afraid that we cannot continue to entertain that writ petition in view of the highly disputed questions of facts that have emerged In any event if water logging persists and damaged has been caused to the land of the petitioners they are entitled to seek damages by instituting an appropriate action in a competent court of law which they may still do if so advised In view of above we do not consider it necessary or feasible to keep this writ petition pending any further It is accordingly disposed of in terms of the above order'

The petitioners have filled Civil Misc application dated 22 04 2015 (INC W P No 19456 of 2008) in the Hon ble Punjab & Haryana High Curt

Chandigarh (Annexure 4) The petitioners have prayed in the CM application

That the respondents may kindly be directed to grant the compensation/damages of the land of the petitioners which has been rendered useless as 3-4 feet dirty water is still standing on the agriculture Land of the petitioners in the interest of Justice

From the above it may kindly be seen that the matter is still subjudice and the action as per the direction of Hon ble Court will be taken by the department

- 3 It is submitted that the following 132/220 KV transmission lines have been erected by Haryana Vidyut Parsaran Nigam (HVPNL) in the adjoining agriculture land for evacuation power from PTPS

- i 220 KV PTPS Karnal line (S/C)
- ii 220 KV PTPS Narwana line (DC)
- iii 220 KV PTPS Nissing line (D/C)
- iv 220 KV PTPS Rohtak line
- v 220 KV PTPS Sonapat line (S/C 7 D/C)
- vi 132 KV D/C PTPS Panipat line
- vii 132 KV D/C PTPS Dewana line
- viii 132 KV D/C PTPS Refinery line
- ix 132 KV D/C PTPS Chandeli line

Since the above said transmission lines had been erected by Haryana Vidyut Parsaran Nigam (HVPNL) therefore the issue relates to HVPNL and not HPGCL please

- 4 The issue regarding payment for compensation or acquisition of their land as already explained above the matter is subjudice please

However the brief history of the case is submitted as under please

- (A) In this regard it is submitted that A Civil Writ Petition No 19456 of 2008 was filed by Sh Ramesh Kumar & others (residents of village Sutana district Panipat) V/s State of Haryana HPGCL & others in Punjab & Haryana High Court Chandigarh The case came up for hearing on 17-11-2008 Sh Sunil Nehra Asstt Advocate General Haryana appeared on the behalf of the State and the case was adjourned to 01-12-2008 In this case the petitioners have contested that the waste water coming out from the Thermal Plant Panipat has rendered their land useless and unfit for cultivation due to unsoaked flow of water and seepage from the Thermal Plant and

further requested the court for directing the respondent authorities to make the land cultivable

The case came up for hearing before the Hon ble Punjab & Haryana High Court Chandigarh on dated 16 12 2008 and the court ordered as under 'There is a dispute between the parties in respect of extent of water logging and whether such water logging is on account of seepage or over flow of the water from the Thermal Power Plant To find out the factual position we deem it appropriate to get land inspected in a comprehensive manner For the said purpose we request Mr Sunil Nehra Assistant Advocate General Haryana to inspect the land in dispute and its surrounding areas and to give comprehensive report in respect of water logging and the causes thereof

Accordingly Sh Nehra visited/inspected the site on 04 01 2009 and the submitted the report in Hon ble Punjab & Haryana High Court on 21 01 2009 The conclusions of report are as under (Annexure 5 Copy of report at Ch 4)

- 1 That there is some water logging in the land of the petitioners However this water logging cannot be attributed to the seepage from the drain of the Panipat Thermal Plant because in the land just adjacent to the drain there was no water logging Moreover the land of the petitioners is about 300 feet away from the drain Moreover the undersigned has also inspected the drain the same drain was passing through DAV Public School Thermal Colony Panipat and in the land just opposite to the drain passing through the public School farming is being done Moreover there was no water logging in the land just adjacent to the drain i.e adjoining the petitioner land near the Thermal Plant as has been shown in the photographs No 21 & 22 are the photographs of construction work which is being done inside by the Thermal Plant It is important to mention here that water pumps were being used in Panipat Thermal Plant to drain out the water that being accumulated during the digging of the land Moreover when a pit was dug in the land of one of the petitioner after only few minutes water could be seen in that pit
- 2 That as per the report of the Agriculture Department Haryana the land adjoining to the land of the petitioners it is clear that the water samples collected from the drain of Panipat Thermal Plant is fit for agriculture for all type of produce As per the report of the water samples collected from the fields of the petitioner the water has not been found fit for agriculture From the perusal of the report it is clear that the water flowing in the drain of Panipat Thermal Plant is different from the water which is accumulated in the fields of the petitioners

- 3 That a perusal of the Khasra Girdwaries reveals that the farming was done by the petitioner upto the year 2006 and it is only after that the agriculture produce is being shown as kharaba
- 4 The photographs which have been annexed as Annexure P4 with the petition to show that there is a water logging 3 4 feet in the land of the petitioners seems to be the photograph of the fish pond that has been made by the petitioners themselves. There was no water logging of 3 4 feet in the fields of the petitioners
- 5 The reasons of the water logging in the land of the petitioners are due to the high water table of the area. Moreover the undersigned was informed by the Patwari Mr Ranbir Singh of Village Sultana that there was over flow from Gohana distributory in the year 2006. The water logging in the land of the petitioners can be due to this reason and also due to the fact that water table of the area is very high

The case came up for hearing in court of Justice Sh. Surya Kant and after hearing referred the same to the Double Bench of Hon ble Chief Justice of Punjab & Haryana High Court Chandigarh. The case was fixed for 29 04 2009. After hearing the arguments the Hon ble Court ordered that the reasons of water logging in the area could be more effectively examined and determined by a Committee of Experts and decided as under

Remedial Measures

All the stakeholders should join hands to relieve the fields of water logging and soil salinity/alkalinity (The problems could not be ascertained because it was difficult to enter the fields at that time). The following suggestions are made

PTPS

- The PTPS may keep the portion of the waste drain clean so that there is no overflow from the drain
- PTPS may keep the toe drain clean and operational for all times to come so that seepage water intercepted by the drain is taken away rather than this drain acting as seepage drain
- It was gathered that ash pond for units 1 6 does not have any toe drain. Although this ash pond is quite far from the affected land yet to check any seepage to other nearby areas a toe drain may be constructed around this ash pond by the PTPS

Other Departments

- Possibility of proper lining of the Gohana distributory may be explored
- Since there is a drain in the vicinity drainage department may explore connecting this part of the land to this drain through gravity flow. If pumped

outlet is required necessary arrangement to pump the water by drainage department may be made as it may not be possible for the farming community to invest in operation and upkeep of the facility Such arrangements by the department have been made at other landlocked vulnerable to flooding areas in the state

Farmers

- » The farming community has to join hands to lower the water table reclaim the land and have continuous cropping of the land
- » Keeping in view the groundwater quality farmers may install tube wells for irrigation Besides providing irrigation water the tube well would act as a sink and help to maintain the water balance Once intensive cropping pattern emerge it may result in negative water balance as envisaged for the area
- » The farmers may demarcate the area in small parcels to have effective surface drains with a proper gravity or pumped outlet These drains with appropriate planting on the dykes would help to drain the area and also compensate for the loss in income as plants would provide income every five six years
- » Farmers who are interested in fish cultivation may go for ponds but they may plant sufficient number of quick growing trees on the dykes to arrest the expected seepage from these fields Only groundwater should be used for fish culture For this purpose farmers may be provided electric connections on priority
- » Since the fields had standing water the team could not take the soil samples Once the fields are clear of the water farmers may like to get their samples tested Technologies for reclamation of high pH and high salinity soils are available in the institute which could be adopted to reclaim the land Since the water was standing in the fields team didn't meet the farmers as the sampling would not have been possible at that time Since a farm in Nain is being developed the scientists would be able to have good interaction with the farmers of the adjoining areas and provide them with already tested technologies

Report along with action plan was submitted in the Hon ble High Court on 09 03 2011 The case was adjourned to 5 4 2011 and then to 26 7 2011 After hearing both the counsels the Hon ble court on 26 07 2011 ordered as under

Learned Counsel for the Chief Engineer Thermal Plant Panipat states that steps have been initiated but have not been put in place on or before 30 6 2011 as directed by this court It is however stated that by 30 9 2011 all the steps will be completed Even though failure to take all the steps by 30 6 2011 may amount to contempt this aspect may be

considered later It is make clear that if the steps are not completed upto 30 9 2011 the Chief Engineer Thermal Plant Panipat will remain present in person in this court on the next date of hearing and show cause why action be not taken for contempt of this court Let compliance report be filed before the next date Learned Addl Advocate General Haryana says that no steps have been taken by the Drainage Department in terms of report of the CSSRI quoted above Thus the said department may also be liable to be proceeded against for contempt Let steps be now taken and completed before 30 9 2011 failing which the Secretary Drainage Department Haryana will remain present in person in this Court and show cause why action be not taken for contempt of this Court Compliance report in this regard may be filed before the next date

Action on the remedial measures as directed by the court and relates to this office is placed at Annexure 8 Ch 7

In compliance to the directions of the Hon ble Punjab & Haryana High Court orders passed on 14 10 2011 a joint meeting was held on 02 11 2011 in the office of FC & PS (Power) & record note of discussions are as under (Annexure 9 Copy of report at Ch 8)

- 1 List of participants is at Annexure — A1
- 2 Chief Engineer/PTPS — 1 Panipat explained that as per the order passed by the Punjab & Haryana High Court for placing of underground pipes from the low lying area to the nearby drain is to be discussed/decided by the respondents No 1 2 & 3 Following are the respondents in this case
 - i) The State of Haryana through Secretary to Government Department of Power and Irrigation
 - ii) The Chairman Haryana Viduyat Parsaran Nigam Panchkula
 - iii) The Chief Engineer Panipat Thermal Plant Panipat

Various options for placing underground pipes/open drain from petitioners fields to PTPS drains were discussed It was further explained that an open drain from petitioners fields to the existing culvert on PTPS approach road from Panipat Assand road to Untia drain of Irrigation Department through peripheral drain of PTPS is feasible to drain out the surface water
- 3 The issues were discussed and deliberated in detail It was felt that provision of open drain is more practicable and suitable from operational and maintenance point of view as the same can be kept clean as compared to the underground pipe draining system which may get blocked with the passage of time
- 4 In view of the above it was decided that open drain be provided from low lying area to PTPS peripheral drain as the culvert already

exist on approach road of PTPS near Panipat Assand road Work will be got executed by CE/PTPS I HPGCL Panipat by 31 12 2011 and the cost will be borne by HPGCL

The case came up for hearing in the court of Hon ble Chief Justice Punjab & Haryana High Court Chandigarh on dated 6 11 2011 After hearing both the parties the court decided as under

An affidavit of Shri Azad Singh Executive Engineer Panipat water Services – Division Irrigation Department Panipat has been filed in the Court today along with the minutes of the meeting held on 02 11 2011 in the office of the Financial Commissioner & Principal Secretary to Government of Haryana According to the decision taken an open drain is to be provided for lo lying area to PTPS peripheral drain as the culvert already exist on approach road of PTPS near Panipat – Assand Road It has further been stated that the work will be executed by 31 12 2001 and the cast thereof is to be borne by HPGCL

Thereafter HPGCL had filed report in the court of Hon ble Chief Justice Punjab & Haryana High Court Chandigarh on dated 12 03 2012 at Annexure 10 Ch 9 and the case was disposed of by the court of Hon ble Chief Justice Punjab & Haryana High Court Chandigarh on dated 13 03 2012 The order dated 13 03 2012 Annexure 3 is reproduced below

That the reason of water logging in the area could be more effectively examined and determined by a committee of Experts which this Court could appoint for the purpose We see no reason to decline that prayer we are however of the view that instead of nominating a Committee of Experts by this Court It would be better if we leave the constitution of the Committee of Experts to the Vice Chancellor of the Haryana Agriculture University Hissar who can constitute a Committee of Experts the total number where of shall not be more than five to visit the area in question and to determine whether the water logging reported by the Local Commissioner is in any way redlateable to the working of the respondent Thermal Power Plant or the water ponds constructed in connection there with in case the experts come to the working of the Thermal Power Plant and the necessary to contain the said problem and to prevent seepage* in the land owned by the petitioners shall also be indicated by the Experts

The Expert Committee submitted its report in the Hon ble Pb & Haryana High Court Chandigarh on dated 5 8 09 The recommendations of the committee are under (Annexure 6 Copy of report at Ch 5)

To minimize the severity of water logging in the low lying petitioners fields some remedial/preventive measures listed below needs to be adopted These

suggested measures can be adopted individually or in combination depending upon its physical and economical viability

- 1 To avoid/minimize lateral seepage from ash dike tanks the already constructed interceptory drain around the tank be made fully functional/ effective by regularly cleaning and pumping water
- 2 To fully check the seepage from ash dike tanks to the adjoining areas a sub surface drainage system be installed at a depth of 1.5m from the surface along the already existing interceptory drain and provision of regular pumping out of this drained water should be made
- 3 To lower the water table in the low lying areas several shallow tube wells at a required distance be installed This water depending on its quality can be used for irrigation purpose augmentation of water supply to the plant or may be released into the Gohana distributory or to the thermal power pucca drain
- 4 To remove excess surface water from this low lying area open surface drain having a bed level at a depth of about one meter can be dug/ constructed This excess water can be used for irrigation purpose augmentation of water supply to the plant be released into the Gohana distributory or to the thermal power pucca drain
- 5 The natural drainage of this low lying area which has been obstructed due to construction of raised roads shops along the roads may be restored by placing underground pipes from the low lying area to the drain
- 6 Demarcation of individual fields needs to be strengthened by making 30 cm high bunds around each field This will minimize the surface run off of water from one field to another and hence reduce the severity of water logging in the low lying fields
- 7 Proper maintenance of pucca drain by way of its regular repair and desilting should be undertaken at regular intervals
- 8 The seepage/leakage of water to the low lying areas (pond) adjacent to the boundary wall of the plant be completely checked at the source channel level of the pucca drain to avoid any replenishment of water to the pond

The case came up for hearing in the court of Hon ble Chief Justice Punjab & Haryana High Court Chandigarh on dated 5.8.09 After hearing both the parties the court decided as under

The Expert Committee appointed by the Haryana Agricultural University Hissar has submitted its report a copy where of shall be furnished by the Registrar to learned counsel for the parties who shall be free to file their objections to the same within four weeks

Learned counsel for the petitioners submitted that the findings recorded by the Expert Committee clearly show that the land owned by the petitioners has become unsuitable and unfit for agriculture purposes on account of seepage from the respondent Thermal Plant. He further states that the petitioners are willing to make a proposal for the sale of the land to Power Generation Corporation on terms that can be mutually negotiated. In similar circumstances land owned by other owners rendered useless on account of seepage was according to the learned counsel purchased by the Thermal Plant. In the circumstances therefore we direct that the Managing Director and the Chief Engineer of Haryana Power Generation Corporation Limited may convene meeting in which the petitioner owners can be invited to participate to explore possibility of a settlement which may envisage purchase of the land of the petitioners by the Corporation or payment of compensation to them at such rates as may be the mutually agreeable. In case no such mutual settlement is arrived at between the parties the Managing Director and Chief Engineer of the HPGCL shall remain present in person on the next date of hearing. Post again in September 16 2009

Meeting was held with the representative of the petitioners and their counsel in compliance of the directions of the Hon ble Pb & Haryana High Court passed on 5 8 2009. Record note of discussions is as under (Annexure 7 Copy of report at Ch 6)

- 1 List of participants is at Annex A 1
- 2 The Chief Engineer PTPS I informed that in compliance of the directions of the Hon ble Punjab & Haryana High Court a meeting has been called by the Managing Director HPGCL for holding discussions with the petitioners. He informed that all the petitioners and their learned counsel Sh Vikram Singh were informed about the meeting to be held at 10 00 AM in Shakti Bhawan Panchkula. At about 11 15 AM Sh Raj Singh son of Sh Sardara appeared along with Sh Vikash Kumar Advocate to participate in the meeting. Sh Raj Singh was requested to confirm whether he is participating as an individual petitioner or representing all the petitioner. He produced an undated letter of authority on behalf of all the petitioners authorizing him to follow up the CWP in the Hon ble High Court and all other fora. Opening the discussions MD HPGCL read out the directions of the Hon ble High Court with a view to ascertaining the response of the petitioners about the quantum of compensation that the petitioners would like to be paid. Sh Raj Singh categorically asserted that he and the petitioners do not want any compensation and that they want the land to be purchased by the Panipat Thermal Power Station at the market rate which according to him is approximately Rs 52 53 lacs per acre.

3 During discussion Mr Raj Singh also denied that his and other petitioners land was being cultivated till 2006 and asserted that no crops were raised after 2001. When the record of the Revenue Department recording the cultivation of the crops in the Girdawari was shown to him He stated that the Girdawari records etc are all false and the revenue authorities must have concocted them sitting at home He also denied that any Fish Pond was created in the land of the petitioners by Sh Partap Singh (one of the petitioners) He repudiated that revenue records in this regard

4 Considering the fact that the HPGCL is filing its detailed submissions before the Hon ble High Court highlighting the contents of the report of the Committee of Experts stating that the PTPS was not responsible for the water logging in the petitioners land besides bringing out the contradictions in the report and also the objections on certain observations and also because the petitioners were not ready to even talk about any compensation by any government authority/PTPS and that they only wanted their land to be acquired by the government at an exorbitant rate of Rs 52 53 lacs per acre further discussions could not be held Before the discussions culminated HPGCL also brought to the notice of tree representative of the petitioners and the accompanying counsel that the HPGCL cannot purchase land beyond its existing limits since the land is neither required by it or will the costs be justifiable in the expenses permitted by the Haryana Electricity Regulatory Commission for recovery from the Distribution Companies

5 The meeting ended with thanks to all present

As ordered by the Hon ble High Court objections to the report submitted by the Experts Committee of HAU Hissar were filed in the shape of affidavit on 09 09 2009 The case came up for hearing on September 16 2009 & then on 27 10 2010 and the Hon ble court directed that pumps be instated as per above report Accordingly three nos pumps were installed for pumping out the water from the petitioner s fields The case came for hearing on Jan 6 2011 & after hearing the Hon ble Court directed the Chief Engineer Thermal Plant Panipat as under

To evolve and implement effective steps for controlling the seepage from the Thermal Plant with the assistance of an expert body In the meantime will continue with the exercise of pumping out of water as directed by this court earlier

In compliance to the order of Hon ble High Court Director CSSRI Karnal was requested to study the cause of water logging and suggest the remedial measures to overcome this problem A team of CSSRI

Karnal visited the site on 08 02 2011 and submitted the report on 01 03 2011. The findings & recommendations of CSSRI Xamal are as under

The seepage from the waste drain being small may not be significant enough to cause the problem. However, if the water is being used for irrigation/fish ponds, it may add to seepage in the area.

Since the fish ponds remain wet almost throughout the year, the seepage from the fish ponds may affect the adjoining land.

The Gohana distributory may cause significant seepage when flowing, since the wear and tear in the lining is visible at few places.

The ash ponds would result in significant seepage being on the higher elevation. The toe (or interceptordrain) drain provided to intercept seepage is technically sound and a correct control measure to reduce seepage. The location of the Gohana distributory would further help in intercepting some part of the seepage from the ash ponds as it would break the seepage lines when in flow and intercept the seepage when not flowing. However, good upkeep of the toe drain would make all the difference. At the time of visit, water flow in the toe drain was not visible, suggesting that the drain was not clean. It should be maintained properly. It may be added that during the team visit, the ash pond on the side of lands owned by farmers of Sutana was not being used to dump the ash.

As has been said before, area is a topographical depression bounded from all sides by seepage sources with no gravity outlet. Thus, local stagnation of water coupled with seepage from various sources is bound to keep the water table high in the area. Therefore, remedial measures are needed to keep the water balance in the negative, i.e., Total water output from all sinks should exceed the total water input from all the sources including rainfall, irrigation and seepage. This could be achieved through the combined efforts of the various stakeholders.

The petitioners (10 in number) claim to be the owners of about 10.5 acres of agricultural land situated in village Sutana, Tehsil and District Panipat, which land is adjoining the Panipat Thermal plant. There is water logging in the land belonging to them, rendering the same unfit for cultivation.

The writ petition filed in the year 2008 has remained pending primarily on account of the request made from time to time for filing of affidavits by the

contesting parties. A reading of the said pleadings indicates that highly disputed question of fact have surfaced inasmuch as whereas according to the respondents the land has been made suitable for cultivation the reply of the petitioners to the aforesaid stand is that water logging continues to persist. Photographs have been enclosed by the petitioners to bring home the aforesaid point which photographs themselves are being disputed by the respondents by saying that they belong to some other land and not to the land adjoining the thermal plant which is subject matter of the present writ petition.

We are afraid that we cannot continue to entertain this writ petition in view of the highly disputed questions of facts that have emerged. In any event if water logging persists and damage has been caused to the land of the petitioners they are entitled to seek damages by instituting an appropriate action in a competent court of law which they may still do if so advised.

In view of above we do not consider it necessary or feasible to keep this writ petition pending any further. It is accordingly disposed of in terms of the above order.

(B) Sh Ramesh Kumar & 9 others gave legal notice dated 19.11.2014 (Annexure 11) through Advocate Sh. Vikram Dhakia to the following

- 5 The Secretary to Government Haryana Department of Power & Irrigation Haryana Civil Secretariat Chandigarh
- 6 The Chairman Haryana Vidyut Parasaran Nigam Sakti Bhawan Sector 6 Panchkula District Panchkula
- 7 The Chief Engineer Panipat Thermal Plant Panipat District Panipat
- 8 The Secretary Haryana State Pollution Control Board Panchkula District Panchkula

The above said legal notice was duly replied vide this office memo no 1104/CMDP I dated 26.12.2014 (Annexure 12). There after the Petitioners had filed C M No — of 2015 dated 22.04.2015 IN C W P No 19456 of 2008 (Annexure 4).

The photograph of the suit land were taken on 25.5.2015 and the same are placed at (Annexure 13) showing that there is no water logging in that land.

C) Sh. S. K. Dhingra XEN/CMDP 1 Panipat was deputed on 03.08.2015 to contact Dr. S. K. Kamra Head of Irrigation Department Central Soil and Salinity Research Institute Govt. of India Karnal (CSSRI) to discuss the problem of land owners. The Soil and Water samples from the area were also delivered to CSSRI Karnal for testing. It was advised that the matter

may be taken up with Director CSSRI Karnal Accordingly CE/PTPS I SE/Civil and XEN/CMD PTPS I visited the office of Director CSSRI Karnal that he has constituted a committee of Scientists of CSSRI Karnal that he has constituted a committee of Scientists of CSSRI Karnal It is informed that committee of Scientists of CSSRI Karnal has already visited the site on 07 09 2015 and have collected samples of Soil and water from the site The request data/information required by the committee has also been supplied to them

- (D) It is informed that the neither additional land is needed by HPGCL for existing project activities nor for proposed extension project of 800 MW It is also submitted that while making application to Ministry of Environment and Forest and Climatic Change (MOE&F and CC) for granting Term of Reference (TOR) of 800 MW proposed supercritical thermal power project no additional land has been demanded It was submitted to the Ministry that the proposed 800MW Unit and its colony etc would be accommodated in the existing land of PTPS Panipat

A detailed case in this respect was up to Additional Chief Secretary (Power) Govt of Haryana where in it was decided that the department should frame policy for rehabilitation of affected lands around ash dykes and Thermal Power Plants Accordingly the department has already framed draft policy for rehabilitation of affected lands around ash dykes and Thermal Power Plants which was submitted for consideration and approval of Board of Directors of HPGCL policy has already been initiated by referring the case to CSSRI Govt of India Karnal

DA/All Annexure and photographs

Chief Engineer/ PTPS I
For Managing Director
HPGCL Panchkula

प्रेषक

उपायुक्त पानीपत।

सेवा में

प्रधान सचिव

हरियाणा विधान सभा सचिवालय

सेक्टर 1 चण्डीगढ़। क्रमांक 3498/स0क्र0 दिनांक 21 10 2015

यादि

उपरोक्त विषय पर आपके कार्यालय के पत्र क्रमांक एच0वी0एस0/पटिशन/15 16/16004 दिनांक 14 10 2015 के सन्दर्भ में। विषयाधीन मामले में आपकी सेवा में भेज कर अनुरोध है कि नायब तहसीलदार मडलौडा से जाच पड़ताल कराई गई। नायब तहसीलदार मडलौडा की निरीक्षण रिपोर्ट

दिनांक 12 10 2015 व 20 10 2015 अनुसार गाव सुताना उप तहसीलदार मडलौडा मे थर्मल पावर स्टेशन के साथ लगती प्रार्थीगण राज सिंह आदि निवासीगण सुताना की भूमि न0 खसरा 4/12/1 2 22 23 24 25 15/ 121 7/12 3 4 5 6/2 7/1 का मौका निरीक्षण किया गया । इसके अतिरिक्त इस भूमि से सम्बंधित मालकान भी मौका पर हाजिर थे। सभी मालकान की हाजरी मे राजस्व रिकार्ड का अवलोकन किया गया । जिससे पाया गया कि खसरा गिरदावरी के अनुसार यह रकबा खरीफ 1996 से खरीफ 1997 तक काशता था तथा कोई खराब नहीं था। फसल रबी 1998 मे यह रकबा खाली रहा। उसके पश्चात खरीफ 1998 से रबी 2009 तक यह रकबा काशता था। यह रकबा फसल खरीफ 2001 से खरीफ 2009 तक कमी बोया गया था कमी खाली रहा। खरीफ 2009 से आज तक यह रकबा लगातार खाली पडा है। जिस कारण इस रकबे को अब खसरा गिरदावरी मे बजर कदीम धूर दर्शाया गया है। इस रकबे मे बड़ी जगली घास/पटेरा भी खडा है।

इसके अतिरिक्त इस रकबा के पूर्व दिशा मे गाव खुखराना का रकबा लगता है। यह रकबा भी इसी तरह खाली पडा है व काशत करने योग्य नहीं है। इसके दक्षिण दिशा मे थर्मल की एस डाइक है। इस एस डाइक के साथ लगते रकबा मे भी सेम जैसी स्थिति है। उपरोक्त रकबा का मौका निरीक्षण व रिकार्ड का अवलोकन करने से प्रतीत होता है कि इस रकबा मे थर्मल प्लाट की वजह से कोई काशत नहीं होती जिसके साथ लगते मालकान को नुकसान होता है। मूल प्रार्थना पत्र व नायब तहसीलदार मडलौडा की मौका निरीक्षण रिपोर्ट साथ सलग्न करके आगामी एव आवश्यक कार्यवाही हेतु प्रेषित है।

कृते उपायुक्त पानीपत।

The Committee orally examined the Deputy Commissioner Panipat Managing Director Haryana Power Generation Corporation Ltd and Petitioner in its meeting held on 8 12 2015 and made the following observations

कमेटी की ऑब्जर्वेशन

कमेटी ने यह चाहा है कि राज सिंह की सम्बंधित जमीन को पॉवर डिपार्टमेंट दो साल के लिए लीज पर लेगा। इस दौरान पॉवर डिपार्टमेंट इस जमीन पर जो भी एक्सपैरीमेंट करना चाहे वह कर ले। अगर यह जमीन खेती के काबिल हो जाती है और श्री राज सिंह इस जमीन को अपने पास रखकर खेती करना चाहेगा तो यह जमीन उसको वापस दे दी जायेगी। इस लीज मनी और वर्ष 2009 मे वर्ष 2014 तक के समय की विभिन्न सालो के दौरान गाव की बाकी जमीन की लीज मनी के हिसाब से साधारण बैंक ब्याज दर के साथ पूरी पैमेंट राज सिंह को चार सप्ताह के अदर अदर करके कमेटी को सूचिन किया जाये।

Thereafter Managing Director HPGCL Panchkula has submitted compliance report vide their Memo No Ch Spl I/CMDP I/829/L dated 17 2 2015. The compliance report reads as under

From

Managing Director
HPGCL Panchkula

To

The principal Secretary
Haryana Vidhan Sabha Secretariat
Sector I Chandigarh

Memo No Ch spl I/CMDP01/829/L

Subject Extract of the Proceedings of the meetings of the Committee on Petitions held on 08 12 2015 at Haryana Vidhan Sabha Secretariat, Chandigarh Compliance report thereof

Please refer your office memo no HVS/Petition/15 16/19757 dated 29 12 2015 addressed to DC Panipat and MD/HPGCL Panchkula on the above noted subject

In this connection it is informed that all the observations raised during the oral examination held on 08 12 2015 by the Hon ble Committee on Petitions at Haryana Vidhan Secretariat Chandigarh have been complied with by the Haryana Power Generation Corporation Ltd. The details of payment made to the affected land owners w e f 2009 to 30 04 2017 is as under

A) Detail of payments made to the affected land owners

Sr No	Name & Father Name	Gross	Amount paid after TDS deduction (In Rs)	Cheque no & dated	Annexure
1	Sh Sanjay S/o Sh Balbir Singh S/o Sh Manga	2550001 78	248819 00	433579 dated 11 2 2016	Annexure A
2	Sh Partap S/o Sh Zylla Urf Zile Singh S/o Sh Hargyan	382502 67	373230 00	433580 dated 11 02 2016	Annexure
3	Smt Koshal W/o Sh Balbir S/o Sh Mage Ram	63669 85	62125 00	433581 dated 11 02 2016	Annexure A

4	Sh Mehak Singh S/o Sh Balbir S/o Sh Manga Ram	63669 85	62284 00	433582 dated 11 02 2016	Annexure D
5	Sh Tejpal S/o Sh Manga S/o Sh Harial	412483 92	402484 00	433583 dated 11 02 2016	Annexure E
6	Sh Narinder S/o Sh Antrpal S/o Sh Zylla	412483 92	402484 00	433584 dated 11 02 2016	Annexure F
7	Sh Gajraj Singh S/o Sh Sardara S/o Sh Hargyan	198746 65	193929 00	433585 dated 11 02 2016	Annexure G
8	Sh Rajinder Singh S/o Sh Sardara S/o Sh Hargyan	198746 65	193929 00	433586 dated 11 02 2016	Annexure H
9	Sh Ramesh S/o Sh Sardara S/o Sh Hargyan	198746 65	193929 00	433587 dated 11 02 2016	Annexure I
10	Sh Raj Singh S/o Sh Sardara S/o Sh Hargyan	198746 65	193929 00	433588 dated 11 02 2016	Annexure J

- (B) The above cheques were distributed to the above 10 affected land owners by Deputy Commissioner Panipat on dated 10 2 2016 at mini Secretariat. The 10 photographs showing the distribution of cheques by Deputy Commissioner Panipat are enclosed as Annexure K to Annexure X.
- (C) The copy of the receipts of cheque as received by the respective affected land owner is enclosed as Annexure U to Annexure X.

From perusal of the above it may kindly be seen that all the necessary compliance to the observations raised during the oral examination held on 8 12 2015 by the Hon ble Committee on Petitions at Haryana Vidhan Sabha Secretariat Chandigarh have been complied with.

DA As Above

Chief Engineer/PTPS I
For Managing Director
HPGCL Panchkula

CC

- 1 OSD to MD/HPGCL Panchkula for kind information of MD/PTPS I please
- 2 D C Panipat
- 3 Sr PS to Director/Technical for kind information of Director/Technical Please
- 4 Sr PS to Director/Generation for kind information of Director/Generation please
- 5 CE/Admn HPGCL Panchkula

The Committee considered the same in its meeting held on 23 2 2016 and Committee was satisfied with reply hence decided to dispose off the said petition

11 PETITION RECEIVED FROM SHRI BISHAMBAR DAYAL YADAV, REGARDING ALLOTMENT OF OUSTEE QUOTA PLOT

The petition received from Sh Bishamber Dayal Yadav reads as under

सेवा मे

चेयरमैन पटीशन कमेटी
विधान सभा चण्डीगढ
हरियाणा।

विषय भूमि अधिग्रहित होने पर oustees कोटे के अतर्गत प्लॉट लेने हेतु।
महोदय

निवेदन यह है कि पटौदी क्षेत्र की भूमि 6 जनवरी 2004 को अधिग्रहित की गई थी तथा उसमे मेरी जमीन भी अधिग्रहित की गई थी। हुड्डा अर्बन के नियमानुसार जिन व्यक्तियों की भूमि अधिग्रहित होती है उन्हें oustees कोटे के अन्तर्गत एक प्लॉट आबाटित किया जाता है। मैने भी oustees कोटे मे प्लॉट प्राप्त करने हेतु आवेदन किया परन्तु मेरा आवेदन रद्द कर दिया गया। मे हरियाणा पंजाब हाईकोर्ट चण्डीगढ मे इस बाबत केस जीता तथा मुझे Huda Gurgaon js Administrator के द्वारा मुझे 31 5 2013 को प्लॉट प्रदान करने हेतु Speaking Order दिया गया। इतना समय बीत जाने पर भी मुझे आज तक प्लॉट नहीं दिया गया। अत आपसे निवेदन है कि आप मेरे इस प्रार्थना पत्र पर विचार करे तथा विभाग से (Huda Gurgaon) मुझे प्लॉट दिलवाने का कष्ट करे। प्लाट मुझे मेरी जमीन (पटौदी) मे ही दे। Speaking order sector की फोटो कॉपी प्रार्थना पत्र के साथ सलग्न है।

धन्यवाद सहित।

निवेदक

बिसम्बर दयाल यादव S/o श्री ग्यासी राम
गाव तथा डा0 जनौला तहसील पटौदी
जिला गुडगाव (हरियाणा)
वर्तमान पता W/ 82A Choukhandi Extn
Tilak Nagar New Delhi 18
बिशम्बर दयाल यादव

From

Adminisitrator
HUDA Gurgaon

To

Sh Bishamber Dayal Yadav S/o late Sh Ghasi Ram
R/o WZ 82 A Chaukdi Extn Tilak Nagar
New Delhi

Memo No ADA/13/8255

Dated 31 5 2013

Sub CWP No 1416 of 2010 Bishamber Dayal vs State of Haryana allotment of
plot under Oustee Quto in sector 1 Patudi Gurgaon decided on 27 4 12

Reference to the High Court order dated 27 4 2012 in above cited case

Please find attached a copy of speaking order passed by the Administrator
HUDA Gurgaon

DA/As above

Anika Kharb (LA)
O/o Administrator
HUDA Gurgaon

Endst No

dated

A copy of the above is forwarded to the following

- 1 The Legal Remembrancer HUDA Panchkula for information and necessary action (DA/As above)
- 2 The Estate Officer I HUDA Gurgaon for information and necessary action (DA/As above)

Anika Kharb (LA)
O/o Administrator
HUDA Gurgaon

This speaking order is being passed in compliance of the order dated 27 4 12 passed by Hon ble High Court of Punjab & Haryana at Chandigarh in CWP No 1416 of 2010 titled as Bishamber Dayal Yadav vs State of Haryana and others The order dated 27 4 2012 is reproduced as under

The present petition is disposed off with direction to the respondents to consider the entitlement of the petitioner as per the observations made in the above said cases (LPA No 2096 of 2011 and CWP No 10941 of 2010)

3 To observe the principle of natural justice an opportunity of personal hearing was given to the petitioner vide memo No 6565 dated 3 5 2013 On 15 5 2013 at 11 00 AM the Petitioner appeared in person and submitted his representation alongwith revenue record of the axquired land

4 The petitioner stated that the land bearing khewat no 1843/1527 khatoni No 1933 Rect No 27 Killa No 9/2 (6 4) 22(8 0) Rect No 28 killa No 19 (3 2) in Khasra No 27/18/2(7 4) and in khasra no 27/13/1(4 17&) 18/1(0 16) 23/1(1 7) and 27/2(8 0) 27/3(8 0) 27/6(7 16) 27/4(8 0) 27/7 (8 0) 27/5 (3 2) 27/8(8 0) 27/9/1 (1 16) and 27/13/2(2 18) situated in village Patudi Distt Gurgaon was axquired vide award No 6 dated 10 5 2012 for the public purpose namely for the development and utilization of land for residential commercial & Institution Sector 1 at Patudi and compensation U/S 9 of Land Acquisition Act 1894 has also been paid Out of total acquired land the petitioner share comes to approximately 11 karnal He requested for allotment of a plot to each co sharer under oustees category in view of HUDA oustees policy and in view of the authoritative judgment pronounced in LPA no 2096 of 2011 decied on 25 4 12 Same points have been reiterated in the oral submissions at the time of persona hearing

5 The Land Acquisition Officer Gurgaon has intimated that the land bearing khewat No 1843/1827 khatoni no 1933 rect No 27 killa no 9/2(6 4) 12(8 0) 22(8 0) Rect No 28 Killa No 19(3 2) in Khasra No 27/18/2(7 4) and in Khasra No 27/13/1(4 17) 18/1(0 16) 23/1 (1 7) and 27/2(8 0) 27/3(8 0) 27 6(7/16) 27/4(8 0) 27/5 (3 2) 27/8(8 0) 27/9/1(1 16) and 27/13/2(2 18) situated in l village Patudi Distt Gurgaon was acq uired vide award No 6 dated 10 5 12 for the public purpose namely for the development and utilization of land for residential commercial & Institutional Sector 1 at Patudi and compensation U/S 9 of Land Acquisition Act 1894 has also been paid Out of total acquired land measuring 107 Karnal 3 marla the petitioner was owner of land measuring 10 karnal 7 marla It has reported by Land Acquisition Officer Gurgaon that no portion of the land has been released

6 I have the petioner/representative and gone through the documents available on record

7 As per record the total land bearing khewat No 1843/1827 khatoni No 1933 rect No 27 Killa no 9/2(6 4) 12 (8 0) Rect No 28 killa No 19(3 2) in Khasra No 27/18/2 (7 4) and in Khasra No 27/13/1(4 17) 18/1(0 16) 23/1(1 7) and 27/2 (8 0) 27/6(7 16) 27/4(8 0) 27/7(8 0) 27/5 (3 2) 27/8(8 0) 27/9/1(1 16) and 27/13/2(2 18) situated in village Patudi Distt Gurgaon was acquired vide award No 6 dated 10 5 12 for the public puripose namely for the development and utilization of land for residential commercial & Instutional Sector 1 at patudi and compensation U/S 9 of Land Acquisition Act 1894 has also been paid As per HUDA oustees policy dated 7 12 2007 the allotment will be made to each co sharer depending upon his share in the acquired land

It is significant to state here that no residential sector in Urban Estate Gurgaon has been floated after the announcement of award of the land of the petitioner in the year 2012. In PLA No 2096 of 2011 titled as HUDA and Anr vs Sandeep and others decided vide order dated 25 4 2012 the Hon ble High Court of Punjab & Haryana at Chandigarh upheld this policy and also directed that the plot to the oustees shall be allotted only by public advertisement and not on the basis of any application submitted by any oustee.

8 In view of above position request of the petitioner cannot be accepted at this stage. However he is at liberty to apply for allotment of plot under oustee category at the time of flotation of next residential Sector. Claim of the petitioner is disposed off accordingly.

9 The Speaking Order may be communicated to the petitioner by registered post at its correct address with a copy to the concerned officers HUDA.

Dr Praveen Kumar I A S
Administrator
Administrator HUDA Gurgaon

The Committee orally examined the Chief Administrator Haryana Urban Development Authority Panchkula Administrator Haryana Urban Development Authority Gurgaon and the Petitioner in its meeting held on 13 02 2015 and made following observations

कमेटी की आब्जर्वेशन

विभागीय प्रतिनिधियों से विचार विमर्श के बाद कमेटी ने महसूस किया कि प्रशासक हुडा गुडगाव को आदेश दिया कि वह अपने इस आदेश को सही करे। कमेटी ने प्रार्थी को भी आदेश दिया कि वह इस बारे में अपना पक्ष प्रशासक हुडा गुडगाव के समक्ष रखे और उसके बाद प्रशासक हुडा गुडगाव प्रार्थी का पक्ष सुनकर यह फैसला करे कि प्रार्थी की उक्त प्लॉट के लिए इलिजिबिलिटी बाती है या नहीं। इस बार में प्रशासक हुडा गुडगाव अपना फैसला एक महीने के अन्दर अन्दर लेकर कमेटी को सूचित करे।

In compliance of the observation of the Committee the Chief Administrator Haryana Urban Development Authority Panchkula send their Speaking order vide their Memo No A 1 UB 2015/11659 dated 22 06 2015 Letter and Speaking Order passed by HUDA is as under

From

Chief Administrator
Haryana Urban Development Authority
Panchkula

Principal Secretary
Haryana Vidhan Sabha Secretariat
Chandigarh

Memo No A 1 UB 2015/11659

dated 22 6 2015

Subject Meeting of the Committee on the Petitions Petitions submitted by Sh Bisambar Dayal Yadav

Kindly refer to your office letter No HVS/Petition/2/2015 16/8655 63 dated 03 06 2015 on the subject cited above

The matter was discussed in the meeting of the Petitions Committee held on 13 02 2015 The Petition Committee held observed as under

कमेटी की आज्ञावर्षन

विभागीय प्रतिनिधियों से विचार विमर्श के बाद कमेटी ने महसूस किया कि प्रशासक हुडा गुडगाव के दिनांक 31 3 2013 के आदेश में कुछ त्रुटियाँ पाई गई हैं। अतः कमेटी ने प्रशासक हुडा गुडगाव को आदेश इस आदेश को रद्द करे। कमेटी ने प्रार्थी को भी आदेश दिया कि वह इस बारे में अपना पक्ष प्रशासक हुडा गुडगाव के समक्ष रखे और उसके बाद प्रशासक हुडा गुडगाव प्रार्थी का पक्ष सुनकर यह फैसला करे कि प्रार्थी की उक्त प्लॉट के लिए इलिजिबिलिटी बाती है या नहीं। इस बारे में प्रशासक हुडा गुडगाव अपना फैसला एक महीने के अन्दर लेकर कमेटी को सूचित करे।

In compliance of the above directions of the Petitions Committee of HVS Sh Bishamber Dayal Yadav S/o Late Sh Ghasi Ram R/o WZ 82A Chaukdi Extn Tilk nagar New Delhi appeared in person on 16 4 2014 before the Screening Committee and submitted his representation dated 16 4 2015 and requested for allotment of plot under oustees category in lieu of his land acquired for Sector 1 Pataudi The report of Administrator Gurgaon in the matter is as under

The Screening Committee after considering facts detailed in the order and as is evident from the letter No S 1 06/2290 dated 26 2 2007 Govt has released the land of Sh Attar Singh Sher Singh sons of Sh Ram Narain falling under Khasra No 27//8 min 9/1 area 128 sq yards and Khasra No 27//22 min area 18 Aq Yards as Smadhi total area

comes to 292 sq yards with proportionate area in which petitioner was also co sharer Hence the claim of the petitioner for the allotment of plot under oustees category cannot be accepted being not covered ibid policy and decision of Sandeep s judgment which has been upheld by Apex Court and is disposed off accordingly

Copy of speaking orders is enclosed for kind consideration of Committee on the Petitions

(Sanjay Joon)
Administrator (HQ)
For Chief Administrator HUDA
Panchkula

From

The Administrator
HUDA Gurgaon

To

Sh Bishamber DayalYadav sic late Sh Ghasi Ram
R/o WZ 82 A Chaukhandi Extn
lak Nagar New Delhi 18.

Memo No 5342

dated 27 4 2015

Sub Representation as per direction of the Petitions Committee dated 13 2 2015 regarding settlement of oustee claim in lieu of acquired land Sector 1, Pataudi

Ref Your representation dated 16 4 2015

In compliance of directions of the Petitions Committee dated 13 2 2015 the Screening Committee has passed Speaking Order copy of the same is sent herevith for your information

DA/Copy of Speaking Order

For Amistrator
UDA Gurgaon

Endst No 5343

Dated 27 4 2015

Copy of the above alongwith copy of Speaking Order passed by the Screening Committee is forwarded to the Principal Secretary Haryana Vidhan Sabha Secretariat Sector 1 Chandigarh for kind information of the Petitions Committee This is with reference to his office memo No HVS/Petition/13 14/3488 dated 5 3 2015

DA/Copy of Speaking Order

For Administrator
HUDA Gurgaon

Endst No 5344

Dated 27 4 2015

Copy of the above alongwith copy of Speaking Order passed by the Screening Committee is forwarded to the Chief Administrator HUDA (Urban Branch) Panchkula for information This is with reference to Principal Secretary Haryana Vidhan Sabha Secretariat Sector 1 Chandigarh memo No HVS/Petition/13 14/3488 dated 5 3 2015

DA/Copy of Speaking Order

For Administrator
HUDA Gurgaon

SPEAKING ORDER

1 This speaking order is being passed in compliance of the directions of Petitions Committee meeting held on 13 2 2015 at 12 15 PM in the Committee Room of the Haryana Vidhan Sabha Secretariat Chandigarh conveyed by the Principal Secretary Haryana Vidhan Sabha Secretariat Chandigarh vide memo No HVS/Petition/13 14/3488 dated 5 3 2015

2 As per the directions of Petitions Committee the applicant Sh Bishamber Dayal Yadav s/o Sh Ghasi Ram R/o WZ 82 A Chaukhandi Extn Tilak Nagar New Delhi appeared in person on 16 4 2014 before the Screening Committee and submitted his representation dated 16 4 2015 and requested for the allotment of plot under pusteas category in lieu of his and acquired for Sector 1 Pataudi

3 As per record the land of the petitioner was notified under section 4 on 6 1 2004 notification under section 6 vv as issued on 17 12 2004 situated in village Pataudi Distt Gurgaon for the development and utilization of land for residential commercial & Institutional Sector 1 at Patudi and Award No 30 dated 9 1 2006 was announced and compensation U/S 9 of Land Acquisition Act 1894 has also

been paid Detail of the acquired land of the petitioner as intimated by the Land Acquisition Officer Gurgaon is as under

Khewat No	Kila No	Total acquired land	Share of petitioner	Owner of land
1518/1485	27//18/2	7 4	2/15	0 19
1873/1827	27/19/2(6 4) 22(8 0) 28/10(3 2)	33-6	1/12	2/15
1501/1468	27//13 1 4 17) 23/1(1 7)	7 0 18/1(0 16)	2/15	0 1818/
1556/1523	27//2(8 0) 3(8 01) 6(7 16) 4(80) 0) 5(3 2) 8(8 0) 9/1(1 16)	52 14	3/20	5 5
1789/1746	27//13/2(2 18)	2 18	8/45	0 10
Total		103-2		10-7

4 Further it has been reported that vide Director Urban Estates Haryana Panchkula letter No S 1 06/2290 dated 26 2 2007 Govt has released the and of 5h Attar Singh Sher Singh sons of Sh Ram Narain falling under Khasra No 277/ 8 min 9/1 area 128 Sq yards and Khasra No 27//22 min area 18 Sq yards as Samadhi total area comes to 292 Sq yards with proportionate area in which petitioner was also recorded co sharer

6 Screening Committee has heard the petitioner and gone through the documents available on record

7 The petitioner had applied for allotment of 14 Marla plot in Urban Estate Sector 1 Pataudi under oustees category in response to the advertisement alongwith earnest money amounting to Rs 2 37 500/ For the settlement of oustees claim a meeting of Screening Committee was held on 11 2 2010 under the chairpersonship of Smt Deepti Uma Shanker IAS the then Administrator HUDA Gurgaon and the committee found that the petitioner is not eligible for allotment of plot under oustees category as the land of the petitioner has been released in which the petitioner was the co sharer Hence the earnest money amounting to Rs 2 37 500/ deposited by the petitioner was refunded by the Estate Officer I HUDA Gurgaon vide Cheque No 146936 dated 16 7 2010

8 The petitioner filed CWP No 1416 of 2010 in the Hon ble High Court of Punjab & Haryana Chandigarh and in compliance of Hon ble High Court order dated 27 4 2012 Dr Praveen Kumar IAS the then Administrator HUDA Gurgaon passed speaking order conveyed vide memo No 8255 dated 31 5 2013 wherein it was held that the request of the petitioner cannot be accepted at this stage however he is at liberty to apply for allotment of plot under oustees category at the time of flotation of next residential sector

9 As per the directions of Petitions Committee the matter has been re examined in light of judgment delivered by the Hon ble High Court in LPA No 2096 of 2011 titled as HUDA and Anr vs Sandeep and others decided vide order dated 25 04 12 As per this judgment claim of the petition has been examined under the oustees policy applicable at the time of issue of notification under section 4 The land of petitioner was notified under section 4 on 6 1 2004 and at that time following policy dated 18 3 1992 and 12 3 1993 was applicable

- (I) Plots to the oustees would be offered if the land proposed to be acquired is under the ownership of oustees prior to the publication of the notification under section 4 of the Land Acquisition Act and if 75% or more of the total land owned by the Land Owners in that sector is acquired
- (II) Ousteas whose land acquire() is
 - (a) Less than 500 sq yd should be offered 50 sq yd plot
 - (b) Between 500 sq yd and one acre should be offered a plot of 250 sq yd
 - (c) From 1 acre above could be allotted a plot of 500 sq yd or where 500 sq yd plots are not provided to the layout plan Two plots of 250 sq yd each may be given
- (III) The above policy shall also apply in case there are a number of co sharers of the land which has been acquired If the acquired and measures more than one acre Then for the purpose of granting benefits under this policy the determining factor should be the area owned by each co sharer respectively as per his/ her share in the joint holding In case the acquired land of the co sharer is less than one acre only one plot of 250 sq yd would be allotted in the joint name of the co sharers
- (IV) If the land of any land owners is released from acquisition he/ she would not be eligible to avail of any benefit under this policy (irrespective of the area of land released)
- (V) As per the policy the oustees shall be entitled to a developed plot/ plots the size of which would depend upon the area of his acquired land subject to a maximum of 500 syd The oustee shall be entitled to this benefit under this policy only once in the same town where the land of a person situated located However in cases where the land of a person situated in the same town is acquire in pockets at different times The owner shall be entitled to claim the benefit on account of the entire area acquired at different times for purposes of claiming the benefit under this policy
- (VI) Claims of the oustees for allotment of plots under this policy shall be invited by the Estate) fficer Haryana Urban Development Authority concerned before he sector is floated for sale

- (VII) The commercial sites/building are sold by auction. The sites/buildings be also allotted to oustees on reserve price as and when the auction of the same is held. While putting such sites/buildings to public auction the oustees who want to purchase the sites/buildings could represent before hand for them. However if the area acquired of the commercial site is equivalent or less to the area of booth/shop cum plot being auctioned by HUDA they may be given a booth/SCO sites keeping in view the size of acquisition under this policy.

Further to it Authority while laying down the procedure to settle such claims have decided in partial modification of the earlier policy as under

Benefit under oustees policy is not to be allowed to those oustees who have got residential/commercial plots from HUDA in that Urban Estate. However this restriction will not apply to those oustees who might have acquired property there otherwise.

Benefit under oustees policy shall be restricted to one plot according to the size of the holding irrespective of the number of co sharers.

10 As is evident from the above stated facts since Director Urban Estates Haryana Panchkula letter No S 1 06/2290 dated 26.2.2007 Govt has released the land of Sh. Attar Singh Sher Singh sons of Sh. Ram Narain falling under Khasra No 27//8 min 9/1 area 128 Sq yards and Khasra No 27822 min area 18 Sq yards as Samadhi total area comes to 292 Sq yards with proportionate area in which petitioner was also co sharer. Hence the claim of the petitioner for allotment of plot under oustees category cannot be accepted being not covered by the policy and decision of Sandeep Judgment which has been upheld by Apex Court and is disposed off accordingly.

11 The Speaking Order may be communicated to the petitioner by registered post at its correct address with a copy to the concerned office of HUDA.

Estate Officer	1 Land Acquisition	District Town	Administrator
HUDA	Officer	Planner	HUDA
Gurgaon	Gurgaon	Gurgaon	Gurgaon

Thereafter the Committee orally examined the Principal Secretary to Government Haryana Town and Country Planning and Urban Estates Department, Chief Administrator HUDA, Administrator HUDA Gurgaon and the petitioner in its meeting held on 24.06.2015 and Committee observed that request of the petitioner cannot be accepted at this stage. However his liberty to apply for allotment of plot under oustee category at the time of flotation of next residential sector and claim of the petitioner is disposed off accordingly and the speaking order may be communicated to the petitioner. Accordingly the petition is disposed off.

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