



**HARYANA VIDHAN SABHA**

**COMMITTEE ON PETITIONS**

**( 2016-2017 )**

**(SEVENTH REPORT)**

**REPORT**

**on**

**Various Petitions received by the Committee**



(Presented to the House on 10<sup>th</sup> March 2017)

**HARYANA VIDHAN SABHA SECRETARIAT  
CHANDIGARH  
2017**

## **REPORT**

The Committee on Petitions for the year 2016 17 consisting of seven Members was nominated by the Hon ble Speaker Haryana Vidhan Sabha on 25<sup>th</sup> April 2016 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 51 sittings during the year 2016 17 (till finalization of the Report)

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**COMPOSITION OF THE COMMITTEE ON PETITIONS  
(2016-2017)**

**CHAIRPERSON**

1        Shri Ghanshyam Dass    MLA

**MEMBERS**

- 2        Smt Geeta Bhukkal    MLA
- 3        Shri Jagbir Singh Malik    MLA
- 4        Shri Ranbir Gangwa    MLA
- 5        Shri Umesh Aggarwal    MLA
- 6        Shri Aseem Goel    MLA
- 7        Shri Ram Chand Kamboj    MLA
- 8        Shri Kulwant Ram Baziagar    MLA
- 9        Shri Ved Narang    MLA

**SPECIAL INVITEE**

- \* \*\*\*10        Shri Randhir Singh Kapriwas    MLA
- \*\*\*\*    11        Smt Shakuntla Khatak    MLA
- \* \* \*\*12        Shri Anoop Dhanak    MLA
- Resigned vide Notification No HVS/Petitions/1/2016 17/80 dated 10th August 2016
- \*    Nominated as a Member vide Notification No HVS/Petitions/1/2016 17/82 dated 22nd August 2016
- \*    Resigned vide Notification No HVS/Petitions/1/2016 17/99 dated 31st August 2016
- \* \* \*    Nominated as Member vide Notification No HVS/Petitions/1/2016 17/106 dated 6th September 2016
- \* \*    Nominated as a Special Invitee vide Notification No HVS/ Petitions/ 1/2016 17/47 dated 18th May 2016
- \* \* \*    Nominated as a Special Invitee vide Notification No HVS/Petitions/ 1/2016 17/50 dated 24th May 2016
- \*\* \*\*\*    Nominated as a Special Invitee vide Notification No HVS/Petitions/ 1/2016 17/50 dated 26th July 2016

**SECRETARIAT**

- 1        Shri R K Nandal    Secretary
- 2        Shri Narender Singh Malik    Accounts Officer



## **INTRODUCTION**

1 I Ghanshyam Dass Chairperson of the Committee on Petitions having been authorized by the Committee in this behalf present this Seventh 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 16th Feb 2017

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 16th February 2017

**(GHANSHYAM DASS)**  
**CHAIRPERSON**

**1 PETITION RECEIVED FROM SH PARSHOTAM DASS KAUSHISH H NO 3, PROFESSOR COLONY, CHHOTI LINE OLD AMBAY GAS GODOWN ROAD, YAMUNANAGAR, REGARDING CLAIM ANTE DATED PROMOTION AS HIGH SCHOOL HEADMASTER OF SH, PARSHOTAM DASS KAUSHISH**

The Petition received from Sh PARSHOTAM DASS KAUSHISH is reads as under

The Chairperson  
Petition Committee  
Haryana Vidhan Sabha Chandigarh

Petition No \_\_\_\_\_ Dated \_\_\_\_\_

**Subject Claim regarding ante-dated Promotion as High School Headmaster, wef 15 11 2000 PARSHOTAM DASS KAUSHISH, Retd S S Master GMS Govindpur (Yamuna Nagar)**

**Personal file & No Complaint Certificate from the office of this District Elementary Education officer Yamuna Nagar**

**Reference (1) The DEEO Yamuna Nagar letter no E-3/15/7583 dt 04-05 2015, And**

**(2) Letter No 21/7 20/5HRG 11(1) dt 06-04-2015 office of the Director Secondary Education Haryana Pauch Rule 134109**

Respect Sir

Most respectfully I beg to submit as under

- (1) That I have been constantly writing to the Director Secondary Education Haryana Chandigarh/Panchkula for promotion as Headmaster of Govt High School since 22 12 1994 and 15 11 2000
- (2) That my promotion case as High School Head had been sent by the DEO Yamuna Nagar vide letter no E 198/175 dt 18 06 1998 Subsequently the DEO had also sent the special ACR s vide following letters No
  - (i) Vide DEO Yamuna Nagar letter no G 1/99/103 dt 07 04 2000 special ACR for the year 1998 1999
  - (ii) Vide DEO Yamuna Nagar letter No G 1/2000/183 dt 20 07 2017/2000 special ACR for the year 1999 2000
- (3) My personnel file along with no complaint certified had also been sent for the DEO Ymuna Nagar on 18 06 1998
- (4) It is further stated that I have been given justice for the last 21 years

It is therefore humbly requested that the DSE Haryana Panchkula should give me my promotion order as Headmaster of Govt High School because all my Junior

C&V Hindi teachers were promoted as Headmaster of Govt High School because Secretary to Govt Haryana Education Department order no 1/86 2000 Edu (iii) (i) date 15 11 2000

with regards

Dated 01 06 2015

Enclosed District Elementary Education Officer

Yamuna Nagar letter No E 3/15/7583

Dated 04 05 2015

Yours Faithfully

Parshotam Dass Kaushish

H No 03 Professor Colony

Chhoti Line old Ambay

Gas Godown Road

Yamuna Nagar 135001

The Petition was placed before the Committee in its meeting held on 10 06 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 does not receive any reply from the department

The Committee orally examined the Additional Chief Secretary to Government Haryana School Education Department Haryana Director School Education Shiksha Sadan Panchkula and Petitioner in its meetings held on 18 09 2015 in which Additional Chief Secretary to Govt Haryana Higher Education Department Chandigarh has placed the reply vide their Memo No 21/7 2015 HRG II(1) dated 18 09 2015 as under

From

The Additional Chief Secretary to Govt Haryana  
Higher Education Department Chandigarh

To

The Principal Secretary  
Haryana Vidhan Sabha Secretariat  
Chandigarh

Memo No 21/7 2015 HRG II(I)  
Dated Panchkula the 18 9 2015

**Subject Meeting of the Committee on Petitions of Haryana Vidhan Sabha scheduled to be held on 18 9 2015 at 12 45 PM**

Kindly refer your letter No HVSIPetitions/2/2015 16/14519 28 dated 14 9 2015 on the subject cited above

It is submitted that Shri Parshotam Dass Kaushik Retired Social Studies Master Government Middle School Gobindpur (Yamuna Nagar) has claimed promotion as High School Headmaster from the date the Hindi teachers (appointed between 21 6 1964 to 03 5 1968) junior to him were promoted as Headmasters vide this office order No 1/86 2000 Edu III(1) dated 15 11 2000 The applicant was initially appointed as Hindi teacher on 02 3 1963 He was appointed to the post of Social Studies Master on 02 05 1970 and was confirmed as Hindi teacher on 17 05 1972 w e f 01 11 1967 He retired as Social Studies Master on 30 11 2001

The District Education Officer Yamuna Nagar was requested vide this office Memo No 2117 2015 HRG II(1) dated 06 4 2015 to send personal file of Shri Parshotam Dass Kaushik alongwith the certificate that no complaint /enquiry was pending against him till the date of his retirement

The District Education Officer Yamuna Nagar vide his letter E 3/15/3583 dated 04 5 2015 has intimated that personal file of said official is not available in his office and the official had retired on 30 11 2001 and no complaint/enquiry report of the official cannot be submitted at this belated stage

The official had retired about 14 years back and as per record retention schedule issued by the Archives Department Haryana personal files of the officials are to be retained for one year after issue of final pension/gratuity payment orders. At this stage it is not possible to locate the personal file of Shri Parshotam Dass Kaushik which is necessary for considering his promotion case as the promotions are made on the basis of seniority cum merit

Vide District Education Officer Yamuna Nagar letter dated 04 5 2015 it has been intimated to the Headquarter that the personal file of Shri Parshotam Dass (retired Social Studies Master Master) is not available in his office and due to non availability of personal file the District Education Officer Yamuna Nagar has shown his inability to certify good service record of the official. In this connection the District Education Officer may be aware that his office has remained all competent to finalise the annual confidential record of an employee like Shri Parshotam Dass Kaushik. Further if any adverse entry is made by some authority in the Annual Confidential Reports of such employee then such entries are necessarily to be conveyed and if no adverse remark have been conveyed to the employee then it has to be presumed that the record of such employee was straight and good. Therefore in the light of above discussion the District Education Officer Yamuna Nagar has been directed vide this office Memo No 2117 2015 HRG II (1) dated 17 9 2015 to intimate

- (i) Whether any adverse remark was conveyed by the District Education Officer office to the employee concerned during the relevant period ? The District Education Officer must know that office copy of such correspondence should be available in his office
- (ii) Whether any enquiry was initiated by the District Education Officer office against the official concerned ?
- (iii) Whether any intimation of any complaint against the employee was received by the District Education Officer office from the school office ? Here too the District Education Officer must be aware that a Head of the School on his own cannot hold a teacher guilty without approval of the controlling authority and for getting approval of the controlling authority all communications are necessarily to be dealt with by the District Education Officer office. So if the District Education



Officer ever received any communication from the head of the school of the employee concerned requesting for disciplinary action or enquiry against the ex employee the same fact be intimated to this office

All this information must be pertaining to the period between the year 1990 to 2000 The District Education Officer has been requested that the requisite documents/ report be sent to this office within a week positively

Joint Secretary to Govt Haryana  
Secondary Education Department  
Panchkula

Endst No Even

Dated Panchkula the 18 9 2015

A copy is forwarded to Shri Parshotam Dass Kaushik House No 3 Professor Colony Chhoti Line Old Ambay Gas Godown Road Yamuna Nagar (Haryana) for information

Joint Secretary to Govt Haryana  
Secondary Education Department  
Panchkula

During the course or oral examination departmental representative informed that petition could not be promoted as his personal file was misplaced/not traceable by the department Committee was not satisfied with the reply of the department reply and Committee directed department to give justice to the petitioner in one month time and same may be informed to the committee and they are advised to direct their official to do their duty with proper dedication and with honesty

Thereafter Director Secondary Education Department Haryana Panchkula submit their reply vide their Memo No 4/19 2015 HRG II(1) dated 16 11 2015 which read as under

From

The Director Secondary Education  
Haryana Panchkula

To

The Principal Secretary  
Haryana Vidhan Sabha Secretariat  
Chandigarh

Memo No 4/19 2015 HRG II(1)  
Dated Panchkula the 16 11 2015

**Subject Meeting of the Haryana Vidhan Sabha Committee on Petitions  
scheduled to be held on 17 11 2015 at 12 45 PM**

Reference your Memo NO HVS/Petitions 2/20 15 16/17207 16 dated 10 11 2015 on the subject cited above

Shri Parshotam Dass Kaushik Hindi Teacher the then S S Master Govt Middle School Gobindpuri (Yamuna Nagar) resident of House No 3 Professor Colony Chhoti Lane Old Ambay Gas Godown Road Yamuna Nagar had filed the complaint dated 01 6 2015 before the Committee on Petitions claiming promotion from the post of Hindi Teacher to that of High School Headmaster from the date the person junior to him in the cadre had been promoted as such

In this connection it is informed that Shri Parshotam Dass Kaushik has been promoted as High School Headmaster from the date the person junior to him in the cadre had been promoted as such w e f 15 11 2000 vide this office order No 4/19 2015 HRG II(1) dated 16 11 2015 (copy enclosed) and thus his claim has been finally settled The Hon ble Committee on Petitions may be apprised of the above mentioned factual position please

(VIRENDER SINGH SEHRAWAT)  
Additional Director Administration  
for Director Secondary Education  
Haryana Panchkula

Endst No Even

Dated Panchkula the 16 11 2015

A copy is forwarded to Shri Parshotam Dass Kaushik Hindi Teacher the then S S Master Govt Middle School Gobindpuri (Yamuna Nagar) resident of House No 3 Professor Colony Chhoti Lane Old Ambay Gas Godown Road Yamuna Nagar for information A copy of the order No 4/19 2015 HRG II(1) dated 14 11 2015 is enclosed herewith

(VIRENDER SINGH SEHRAWAT)  
Additional Director Administration  
for Director Secondary Education  
Haryana Panchkula

**GOVERNMENT OF HARYANA  
SCHOOL EDUCATION DEPARTMENT  
ORDER**

Order No 4/19/2015 HRG II(1)

Dated Chandigarh the 14 11 2015

The Governor of Haryana is pleased to promote the following Hindi Teacher to the post of High School Headmaster in the pay scale of Rs 6500 10500/ as per provision of the Haryana State Education (School and Inspection Cadre) (Group B) Service Rules 1998 w e f 15 11 2000 the date the persons junior to him in the cadre of Hindi Teachers were promoted as such vide order No 1/86 2000 Edu III (1) dated 15 11 2000 on the following terms and conditions

<b>Sr No</b>	<b>Date of appointment as Hindi Teacher</b>	<b>Name designation and place of posting</b>	<b>Place of posting as Headmaster</b>
1	02 3 1963	Shri Parshotam Dass Kaushik Hindi Teacher the then S S Master Govt Middle School Gobindpurī (Yamuna Nagar)	Retired

### **Terms and Conditions**

- 1 The benefit of ante dated promotion as Headmaster will be admissible to him for the purpose of notional pay fixation and seniority only and no actual financial benefit on account of difference of pay for the period from 15 11 2000 to 30 11 2001 (D O R ) will be admissible to him
- 2 The inter se seniority of the promotee will be subject to the claim of his seniors who have not been promoted in this order due to various reasons
- 3 If an official will found senior to him at any stage due to refixation of seniority in feeder cadre the junior most promotee shall be reverted without giving any notice
- 4 That this promotion is subject to the condition that all the particulars and data supplied by the concerned employee and field offices are correct In the event of any information found to be factually incorrect erroneous or misrepresented the promotion so granted shall be withdrawn forthwith without affording any further opportunity
- 5 This promotion is subject to the condition that there is no adverse remark pertaining to integrity in the ACRs of the above official from theyear 1990 91 to 1999 2000

**KESHNI ANAND ARORA**  
**ADDL CHIEF SECRETARY TO GOVT HARYANA,**  
**SCHOOL EDUCATION DEPARTMENT,**  
**CHANDIGARH**

Endst No 4/19 2015 HRG II (1) Dated Panchkula the 16 11 2015

A copy is forwarded to the following for information and necessary action

- 1 The Accountant General (A&E) Haryana Chandigarh
- 2 The Director Elementary Education Haryana Chandigarh
- 3 The Secretary Haryana Public Service Commission Panchkula
- 4 The District Education Officer Yamuna Nagar
- 5 The District Elementary Education Officer Yamuna Nagar

- 6 The Heads of offices/institutions concerned
- 7 Shri Parshotam Dass Kaushik Hindi Teacher the then S S Master Govt Middle School Gobindpur (Yamuna Nagar) resident of House No 3 Professor Colony Chhoti Lane Old Ambay Gas Godown Road Yamuna Nagar 135001
- 8 Technology Officer (Local)

**JOINT SECRETARY TO GOVT HARYANA  
SECONDARY EDUCATION DEPARTMENT  
CHANDIGARH**

The Committee considered the departments reply in its meeting held on 29 01 2017 and felt satisfied with the reply and was of the view that grievance of the petitioner stand resolved Therefore Petition is disposed off accordingly

**2 PETITION RECEIVED FROM SMT BHARTO DEVI W/O LATE SH ISHWAR SINGH, VILL GORAKHPUR, TEHSIL & DISTT FATEHABAD REGARDING DISPUTE OF KHAL ON MINOR MOGA NO 32750**

The Petition received from Smt Bharto Devi reads as under

सेवा मे

श्रीमान चैयरमैन  
पैटीशन कमेटी हरियाणा विधानसभा  
चण्डीगढ़।

विषय दरखास्त बराये कोई खाल नही है बारे।

श्रीमान जी

सविनय निवेदन यह है कि मैं भरथो देवी धर्मपत्नी श्री स्व० ईश्वर सिंह गाव गोरखपुर तहसील व जिला फतेहाबाद की रहने वाली हूँ। यह कि मेरा खेत लेफ्ट खजूरी माईनर मोगा न० 32750 पर है। औमप्रकाश पुत्र श्री हरफूल सिंह और अतर सिंह पुत्र श्री हरफूल सिंह ये दोनों भाई हैं। जोकि इनकी जमीन का खाता साझा है। अतर सिंह के खेत के पक्का खाल लगता है। मेरे भार्द्वारे ने इनको अपने खेत से खाल खोदने के लिए पचायती रूप से कह दिया था। और अब भी अपने खेत से पानी लगा रहे हैं। और पानी ठीक तरह से लग भी रहा है। फिर भी मेरे बच्चे छोटे होने के कारण व मेरे विधवा होने के कारण जबरदस्ती खाल खोदने की कोशिश कर रहे हैं। और बच्चों को डरा धमका कर खाल खोदने की कोशिश कर रहे हैं। आप को जो इन्होंने लिखित रूप से एप्लीकेशन में झूठ लिख कर दी थी। और महकमे (एस डी ओ सनियाना) ने फैसला दिया की एक वर्ष के लिए दनको खाल दे दो वो सरासर गलत है। आपके लेटर की वजह से यह फैसला एस डी ओ सनियाना ने सुनाया है।

सनियाना सिचाई विभाग एस डी ओ समेत आकर यह देख चुका है कि पक्का खाल इनके खेत के लगता है फिर भी पता नही किस वजह से या राजनैतिक दबाव से मेरे खेत से खाल खुदवा रहा है। औमप्रकाश व

अतर सिंह के जसवत मैनपाल हरपाल राजा और काला यह इनके लडके हैं। और इनका परिवार भी बड़ा है। जो हमे परेशान कर रहे हैं मेरे बच्चे छोटे हैं और मैं बच्चों के साथ खेत में रहती हूँ। और रात को भी इनका डर बना रहता है। इसलिए आप जनाब से निवेदन है कि पक्का खाल इनके खेत से लगते हुए भी आप हमारे साथ नाईन्साफि कर रहे हो। अगर यहाँ पर किसी प्रकार की जान माल की हानी होती है तो उसकी जिम्मेवार आप होंगे।

आप से प्रार्थना है कि इन दोषियों के खिलाफ सख्त कार्यवाही की जाए और मुझ विधवा को न्याय दिलाया जाए। आपकी अति कृपा होगी।

धन्यवाद सहित।

प्रार्थीया

भरथो देवी धर्मपत्नी श्री स्व० ईश्वर सिंह  
गाव गोरखपुर तहसील व जिला फतेहाबाद

दिनांक 02 09 2015

The Petition was placed before the Committee in its meeting held on 24 09 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 along with statement of Smt Bharto Devi from Office of The Engineer in Chief Haryana Irrigation & W R Department Panchkula vide their letter No 30/6BWS/42/2015 dated 12 07 2016 as under

No 30/6BWS/42/2015

Dated 12/07/2016

From

The Engineer in Chief  
Haryana Irrigation & W R Department  
Panchkula

To

Principal Secretary  
Haryana Vidhan Sabha Secretariat  
Chandigarh

**Subject - Regarding Grievances of Petitioner**

**Ref Your Office letter No HVS/Petition/2/2016 17/11543 51 dated 29 06 2016**

In this context it is intimated that the reply in the matter has already been sent to Haryana Vidhan Sabha vide this office letter No 15/6BWS/42/2015 dated 11 05 2016 (copy enclosed) Smt Bharto Devi expressed her satisfaction

with the decision of Divisional Canal Officer and got recorded her statement (copy enclosed) Hence no further action is required to be taken It is requested that petition may be filed please

Executive Engineer/BWS  
for Engineer in Chief Irr & W R Deptt  
Haryana Panchkula

DA/As above

No 15/6BWS/42/2015

Dated 11/05/2016

From

The Engineer in Chief  
Haryana Irrigation & W R Department  
Panchkula

To

Principal Secretary  
Haryana Vidhan Sabha Secretariat  
Chandigarh

**Subject - Regarding Grievances of Petitioner**

**Ref Your Office letter No HVS/Petition/15 17/15682 dated 07 10 2015**

In this context it is intimated that the matter in dispute was under consideration of Sub Divisional Canal Officer Suniana who decided the case under Section 24 of Haryana Canal & Drainage Act 1947 on 14 10 2015 Smt Bharto Devi went in appeal against this decision before Divisional Canal Officer Tohana who also decided the case on 05 04 2016 Smt Bharto Devi expressed her satisfaction with the decision of Divisional Canal Officer and got recorded her statement (Copy enclosed) Hence no further action is required to be taken It is requested that petition may be filed please

Executive Engineer/BWS  
for Engineer in Chief Irr & W R Deptt  
Haryana Panchkula

DA/As above

The Committee considered the department's reply and statement of petitioner in its meeting held on 29 01 2017 The committee felt satisfied with the reply and is of the view that the Petitioner's grievance has been resolved Therefore the petition is disposed off accordingly

**3 PETITION RECEIVED FROM SH SURAJBHAN S/O SH MEHAR SINGH R/O VILL TALU, TEHSIL BHIWANI, REGARDING LEAKAGE IN WATER SUPPLY PIPE LINE IN VILLAGE TALU**

The Petition received from Sh Surajbhan reads as under

सेवा मे

चेयर मैन महोदय  
पटिशियन कमेटी  
हरियाणा विधान सभा  
सेक्टरिएट चण्डीगढ।

**विषय** दरखास्त बाबत गाव वाका मौजा तालू मे पानी की लाईन लीक होने व पानी की सप्लाई ठीक तरह से ना होने बारे।

श्रीमान जी

निवेदन है कि मै सुरजभान उर्फ सुरजल गुढानिया पुत्र श्री मेहर सिंह निवासी गाव तालू तह व जिला भिवानी का स्थाई निवासी हूँ। यह कि पम्पू बिजली वाली गली 3 महीनो से पानी की सप्लाई बन्द हुई है और लाडोभा जोहड से समाध वाली गली मे सारी पाईप लाईन लीक होने पर भी पानी की सप्लाई आ रही है जिसके कारण सभी पानी खडा हो जाता है। उक्त पाईप लाईन लाडोबा जोहड कुगड रोड नई डिग्गी तालू से पानी का कनेक्शन है। जिसके कारण लोगो को काफी परेशानियों का सामना करना पड रहा है। उक्त गलियो मे 50 से ज्यादा परिवार रहते है। जिनमे से 25 परिवार हरिजनो के है। हम लोगो को लाने के लिए काफी दूर लाना पडता है। इस बारे मे मैने एक दरखास्त सी ए विन्डो मे दिनांक 10 09 2015 को जिसका क्र० न CMOFF/2015/97032 था। जिसकी अभी तक किसी प्रकार कोई कार्यवाही नही हुई।

अतः जनाब से निवेदन है कि उक्त पाईप लाईन को दुबारा दबाया जावे और पानी की सप्लाई सुचारु रूप से चालू किया जावे। आपकी अति कृपा होगी।

प्राथी

सुरजभान उर्फ सुरजल गुढानिया  
पुत्र श्री मेहर सिंह निवासी गाव तालू  
तह व जिला भिवानी हरियाणा।

दिनांक 01 10 2015

The Petition was placed before the Committee in its meeting held on 27 01 2016 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 along with statement of petitioner from Office of The Engineer in Chief Public Health Engineering Department Sector 4 Panchkula vide their letter No 1259 60/4YWS/220/06/Vol ' dated 18 03 2016 which reads as under

No 1259 60/4YWS/220/06/Vol IX

Dated 18/03/2016

From

The Engineer in Chief  
Irrigation & Water Resources Department  
Haryana Panchkula

To

The Engineer In Chief  
Public Health Engineering Department  
Sector 4 Panchkula Haryana

**Subject Regarding leakage in water supply pipeline in village Talu**

Please find enclosed herewith a petition received from Principal Secretary  
Haryana Vidhan Sabha Secretariat vide No HVS/Petition/474/15 16/4376  
dated 01 03 2016

The matter has been examined and it is found that the above petition  
relates to Public Health Engineering Department and action is to be taken by Public  
Health Engineering Department

This is for your kind information and necessary action please

DA As above

Original Petition

Executive Engineer/YWS (North)  
for Engineer in Chief Irr & W R Deptt  
Haryana Panchkula

CC Principal Secretary Haryana Vidhan Sabha Secretariat Sector 1  
Chandigarh for kind information w r t letter referred above

The Committee considered the department's reply and statement of  
petitioner in its meeting held on 29 012017 and committee felt satisfied with the  
reply and of the view that that Petitioner's grievance stand resolved Therefore  
petition is disposed off accordingly

**4 PETITION RECEIVED FROM SH RAJKARAN S/O SH KRISHAN KUMAR,  
VILL KALUVAS TEHSIL & DISTT REWARI, REGARDING CORRECTION  
IN THE BIRTH CERTIFICATE**

The Petition received from Sh Rajkaran reads as under

सेवा मे

श्रीमान चेयरमेन पटिसन कमेटी  
हरियाणा विधानसभा चण्डीगढ़।

**विषय** बच्ची का नाम सगीता यादव के स्थान पर सगीता यादव उर्फ मिनाक्षी यादव का संशोधन करवाने  
बारे।

सविनय निवेदन है कि पार्थी की बच्ची मिनाक्षी यादव का नाम 10वीं Class व 12 वीं Class की  
सर्टीफिकेट में मिनाक्षी यादव है। जो पार्थी को आगनबाड़ी कार्य करने वाली ने पहला जन्म प्रमाण पत्र आचूकी S/o



राजकरण Dated 13 2 04 रजिस्ट्रेशन सख्या 10 पर दर्ज है दिया व दूसरा जन्म प्रमाण पत्र सगीता यादव S/o राजकरण Dated 13 2 04 का रजिस्ट्रेशन सख्या No 10 पर दर्ज है दिया व प्रार्थी के एक ही बच्ची है। जिसका स्कूल सर्टीफिकेट में मिनाक्षी यादव नाम है। अतः प्रार्थी को रजिस्ट्रार जन्म मृत्यु सा0 स्वा0 केन्द्र मीरपुर के नाम जारी हुये है जिसका रिकार्ड सिविल सर्जन रजिस्ट्रार जन्म मृत्यु सा0 स्वा0 रेवाडी के पास है। अतः प्रार्थी ने जन्म प्रमाण के नाम को ठीक करवाने के लिए एक फाईल तैयार की है। जिस में प्रार्थी का हलफनामा व एम0पी0डब्लू0 की मेल स्वा0 केन्द्र बटपूरव चोकीदार हलफनामा व नम्बरदार हलफनामा व रजिस्ट्रार जन्म मृत्यु सी0एच0सी0 मीरपुर ने Dated 7 4 16 मार्क करके फाईल में जो नाम सशोधन करने के लिए रजिस्ट्रार जन्म मृत्यु सिविल सर्जन रिवाडी के पास भेज दिया क्योंकि रिकार्ड यहां पर ही है। अतः प्रार्थी ने फाईल कई बार रजिस्ट्रार जन्म मृत्यु सिविल सर्जन रिवाडी के ब्रान्च Office में दी पर उससे नाम नहीं बदलने व पुफ लगाने मनाकर दिया ब्रान्च Clerk रजो वहा बैठता रिवाडी सिविल हास्पिटल रिवाडी First Floor ने कहा Date of Birth 25 5 1996 के रजिस्ट्रार में आचूकी व सगीता यादव मेरे से पहले लिखे है। व Dated 13 2 04 को जारी हुये है। व रजिस्ट्रार No 10 पर दर्ज है। मैं जन्म प्रमाण पत्र आचूकी उर्फ सगीता यादव का दूगा जो आपकी फाईल में सगीता यादव उर्फ मिनाक्षी यादव का जो सशोधन है। मे नहीं करूंगा जो यह सशोधन पहले सी0एच0 सी0 मीरपुर रिवाडी ने फाईल में करके जन्म मृत्यु सिविल सर्जन रेवाडी के पास भेजा है। जो सिविल सर्जन रिवाडी का बाबू डिलिंग Clark नहीं माना अतः प्रार्थी जन्म प्रमाण पत्र नाम का सशोधन करवाने की फाईल CM Office सिविल हास्पिटल रेवाडी में Dated 22 8 16 को रिसीव करवाई जो पता करने पर 24 8 16 को रजिस्ट्रार जन्म मृत्यु सिविल सर्जन रेवाडी के Office First Floor में बाई डाक पहुंच गई अतः प्रार्थी वहा सिविल हास्पिटल रेवाडी First Floor पर गया जहा पर बाबू ब्रान्च ने कहा कि कही भी चले जाओ हम इस फाईल में नाम का सशोधन नहीं करेंगे फिर प्रार्थी सिविल सर्जन रेवाडी के Office में गया उस में मनाकर दिया और कहा की इसमें पहले ही दो नाम दर्ज है। जो सीरियल न0 10 पर रजिस्ट्रार में दर्ज है। अतः प्रार्थी ने कहा कि मैंने तो एक नाम सगीता यादव लिखवाया है। मेरे पास आचूकी व सगीता यादव के दो प्रमाण पत्र दे दिया और कहा की हम जो फाईल में सगीता यादव उर्फ मिनाक्षी यादव है। वो हम नहीं ठीक करेंगे चाहे आप कही पर चले जाओ जो आदेश आयेगा तो हम नाम बच्ची का सगीता यादव उर्फ मिनाक्षी यादव करदेगे। व रिसीवींग फाईल Application के साथ सलग्न है। अतः साहब वहादुर से प्रार्थना है कि बच्ची का नाम सगीता यादव उर्फ मिनाक्षी यादव का सशोधन करने की कृपा करे। आपकी अति कृपा होगी

प्रार्थी

राजकरण S/o कृष्ण कुमार

गाव कालुवास Teh +Post Office+Dist रिवाडी

हरियाणा। Pin Cod 123401

Dated 12 9 2016

प्रेषक

जिला रजिस्ट्रार (जन्म/मृत्यु)

कृते सिविल सर्जन रेवाडी

सेवा में

The Principal Secretary

Haryana Vidhan Sabha Secretariat

क्रमांक SA(VS)2017 15

दिनांक 02/01/2017

विषय जन्म प्रणाम पत्र में शुद्धिकरण बारे।

महोदय

उपरोक्त विषय के सदर्थ में आपके पत्र क्रमांक NO HVS/PETITION/519/16 17/27721 22 दिनांक 16-12 2017 जन्म प्रणाम पत्र आचुकी सगीता यादव उर्फ मिनाक्षी यादव के जन्म प्रणाम पत्र आचुकी सगीता यादव उर्फ मिनाक्षी यादव के जन्म प्रणाम पत्र को दुरस्त कर प्राथी राजकरण गाव कालूवास जिला रेवाड़ी हरियाणा Phone No 8743983721 दिनांक 29 12 2016 को देकर उनसे सहमति प्राप्त कर ली है। जिसकी छाया प्रति व प्रणाम पत्र की प्रति इस पत्र के साथ आवश्यक कार्यवाही हेतु आपको प्रेषित है।

जिला रजिस्ट्रार (जन्म/मृत्यु)

कृते सिविल सर्जन रेवाड़ी

इसकी एक प्रति Deputy Director (B&D) for Director General Health Services Haryana को सुचनार्थ प्रेषित है।

सेवा में

रजिस्ट्रार जन्म मृत्यु एवं  
सिविल सर्जन

The Committee considered the departments reply and statement of petitioner in its meeting held on 29 01 2017 and committee felt satisfied with the reply and of the view that that Petitioner s grievance stand resolved Therefore Petition is disposed off accordingly

5 **PETITION RECEIVED FROM SH PRATAP SINGH C/O SH RAMESH RATHEE, QUARTER NO 1, NON TEACHING STAFF JAT COLLEGE, NEAR DEV COLONY, ROHTAK, REGARDING SHIFTING OF PRADEEP KUMAR, SR LECT FROM CMRA GOVT , POLYTECHNIC EDUCATION SOCIETY SANGHI TO DBSCR G P E S , SAMPLA**

The Petition received from Sh Pratap Singh reads as under

To

Dated 17 06 2016

The Chairman  
Petition Committee  
Haryana Vidhan Sabha Chandigarh

**Subject Harassment of my family due to illegal headquarters shifting of my son (Pradeep Kumar, Sr Lect ) from C M R A Govt Polytechnic Education Society Sanghi (Rohtak) to D B S C R Govt Polytechnic Education Society Sampla (Rohtak) since last eight months**

Sir

On the subject cited above I want to draw your kind attention through following below mentioned points

- 1 My son Pradeep Kumar is working as a Sr Lecturer in Electronics Engg in C M R A Govt Polytechnic Education Society Sanghi (Rohtak) and also worked as officiating Principal for more than two years in the same institute
- 2 His job is non transferrable as this institute is running in Society mode and I am residing along with him in residential colony of the C M R A Govt Polytechnic Education Society Sanghi (Rohtak)
- 3 As per office order No 76/Esstt III dated 06/10/2015 of the department the headquarter of my son was shifted from C M R A Govt Polytechnic Education Society Sanghi (Rohtak) to D B S C R Govt Polytechnic Education Society Sampla (Rohtak) and he joined there on dated 08/10/2015
- 4 Due to a complaint against the promotion of my son at the Petition committee Haryana Vidhan Sabha Chandigarh his promotion case was sent to the State Vigilance Department Haryana for further investigation regarding his promotion His promotion to the post of Sr Lecturer in Electronics Engg was done by the Department itself as per rule and regulations of the Department of Technical Education Haryana
- 5 His head quarter was shifted due to an alleged baseless complain made by the Principal (Sh Satish Garg) to the higher Authorities of the Department As per official record of the institute there is no such any letter of warning and complain by the principal (Sh Satish Garg) The same may please be confirmed from the institute So it shows that he misguided the higher authorities of the Department of Technical Education Haryana
- 6 All the Documents/record related to the promotion to the post of Sr Lecturer of my son in Electronics Engg has already been sent/handed over to the enquiry officer of Vigilance Department Haryana not only by the Department of Technical Education Haryana but also by the office of the Principal of C M R A Govt Polytechnic Education Society Sanghi (Rohtak) in the year 2015
- 7 In this regard my son has also submitted his written statement to concerned enquiry officer of the State Vigilance Department Haryana in the month of December 2015
- 8 He also requested many times to repatriate and cancel his shifting of his headquarters to the department of Technical Education Haryana but no action has been taken on his request by the Department
- 9 The department of Technical Education Haryana is harassing my family prior to receiving of his enquiry report This is an enquiry of the Promotion of my son which was done by the Department as per rules Here the department should not victimize him alone personally by shifting his headquarter to another place

10 He has already served more than eight months at D B S C R Govt Polytechnic Education Society Sampla (Rohtak)

11 Further I want to say that I am suffering from chronically heart disease since year 2007 and he is only son to look after me during my illness

Keeping in view of above all circumstances it is humbly requested to please get re shift the headquarter of my son to previous place of his appointment i.e. C M R A Govt Polytechnic Education Society Sanghi (Rohtak) to avoid further harassment of my family I shall be highly thankful to you

Thanking you

Yours Sincerely

Correspondence Address

Pratap Singh C/o Sh Ramesh Rathee  
Quarter No 1 Non Teaching Staff  
Jat College Near Dev Colony  
Rohtak (Haryana)  
9467218424 (M)

The Petition was placed before the committee in its meeting held on 02 07 2016 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 Director General Technical Education Department Haryana vide their Memo No 877/Admn III dated 01 08 2016 which reads as under

From

Director General  
Technical Education Department  
Haryana

To

The Account Officer  
Haryana Vidhan Sabha Secretariat  
Sector 1 Chandigarh

**Subject** Regarding shifting of Pradeep Kumar, Sr Lect from CMRA Govt Polytechnic Education Society Sanghi to DBSCR GPES Sampla

Kindly refer to your letter No HVS/Petition/493/16 17/ 12305 dated 12 07 2016 on the subject noted above

In this connection it is intimated that Sh Pardeep Kumar Sr Lect in Electronic and communication Engg has been shifted from Govt Polytechnic Education Society Sampla to GPES Sanghi vide this officer order No 126 dated 26 07 2016 This is for your kind information

Joint Director  
for Director General Technical Education  
Department Haryana

**DIRECTORATE OF TECHNICAL EDUCATION HARYANA, PANCHKULA**

Office Order No 126 /Admn III

Dated 26 07 2016

The Head Quarter of Sh pardeep Kumar Sr Lecturer in Electronics & Comm  
Govt Polytechnic Education Sanghi in public interest with immediate effect

Dated 22 07 2016

A K Singh IAS  
Principal Secratry to Govt Haryana  
Technical Education Department  
Cum Chairman BOG GPES Sampla

Endst No 865 67 /Admn III

Dated 26 07 2016

A copy of above is forwarded to the follong for information & necessary action

- 1 Principal Govt Polytechnic Education Society Sanghi (Rohtak)
- 2 Principal Govt Polytechnic Education Society Sampla
- 3 Sh Pardeep Kumar Sr Lecturer in Electronic & Comm of  
Govt Polytechnic Education Society Sampla

Deputy Director (Admn III),  
For Director General Technical Education  
Haryana Panchkula

Committee considered the departments reply in its meeting held in 29 01 2017 and committee felt satisfied with the reply and of the view that the Petitioner s grievance stand resolved Therefore the Petition is disposed off accordingly

**6 PETITION RECEIVED FROM SH KHARATILAL NIJAWAN, H NO 599 A/ 30 ADARSH NAGAR, ROHTAK, REGARDING NON GRANT OF ACP TO RETIREES (DIVISIONAL ACCOUNTANTS) OF HSEB/UHBVN**

The petition received from Sh Kharati Lal reads as under

To

Sh Ghansham Dass Arora Ji M L A  
Chairman Petition s Committee  
Haryana Vidhan Sabha  
Chandigarh

Sub

**Non Grant of ACP to retirees (Divisional Accountants) of HSEB/UHBVN**

R/Sir

With due respectm it is brought to your kind notice that the case related to non granting of ACP to retiree Divisional Accountants by the UHBVN Previously ACP was not allowed to Accountants in erstwhile HSEB but the ACP has now been allowed to working Divisional Accountants in UHBVN It is the law of the land and dicison of the Apex Court that no senior person will get less pay/pension than his junior It is great injustice and discrimination against the retiree Divisional Accountants by not granting the ACP by the UHBVN I have reprensted many a times to the CAO UHBVN Panchkula to consider my case but in vain

In view of the above it is requested to look into the vase and direct the concerned authorities i e Secretary Power Utilities Chandigarh Chief Accounts Officer UHBVN Sector 15 Power Colony Panchkula and M D UHBVN Shakti Sadan Sector 6 Panchkula to do the needful

A perosnal hearing if required may be given so tha the above cases may be explained to your goodself in detail

Thanking you

Yours faithfully

Dated 28 05 2015

[Kharati Lal Nijhawan]  
599 A/30 Adarsh Nagar  
Rohtak 124001 (Haryana)  
Mob 9541444069

The Petition was placed before the committee in its meeting held on 03 06 2015 and the Committe 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 managaing Director UHBVNL Panchkula vide thier Memo No Ch 11/CAO/Estt /DA 1708/L dated 25 06 2015 which reads as under

**UTTAR HARYANA BIJLI VITRAN NIGAM LTD**  
 (A Power Distribution & Retail Supply Utility Govt of Haryana)  
 Regd Office C 16 Vidyut Sadan Sector 6 Panchkula  
 CIN No U40109HR1999SGC034166  
 Website www.uhbn.com

From

The Managing Director  
 UHBVNL Panchkula

To

The Principal Secretary  
 Haryana Vidhan Sabha Secretariat  
 Chandigarh

Memo No Ch 11/CAO/Estt /DA 1708/L

Dated 25/06/2015

**Subject Regarding Non grant of ACP to retiree (Divisional Accountants) of HSEBIUHBVNL**

Please refer to your office letter No HVS/Petition/15/16/8859 dated 05.06.2015 vide which a copy of representation dated 28.05.2015 of Sh. Khairati Lal Nijhawan Accountant (Retd.) R/o Rohtak was sent to this office for further necessary action. It has been desired to submit the comments/reply within 15 days from the Department for placing the same before the committee. From the perusal of request application addressed to Sh. Ghansham Dass Arora, MLA, Chairman, Petitions Committee, Haryana Vidhan Sabha, Chandigarh, it has been found that the complainant had made this representation on a/c of non grant of the benefit of ACP Scales to him. The extract of the representation is reproduced as under:

He has stated that the case relates to non granting of ACP to retiree Divisional Accountants by the UHBVN. Previously ACP was not allowed to Accountants in erstwhile HSEB, but the ACP has now been allowed to working Divisional Accountants in UHBVN. It is the law of the land and decision of the Apex Court that no senior person will get less pay/pension than his junior. It is great injustice and discrimination against the retiree Divisional Accountants by not granting the ACP by the UHBVN. He has represented many a times to the CAO, UHBVN, Panchkula to consider his case but in vain.

He has requested the Chairman to look into the case and direct the concerned authorities, i.e. Secretary, Power Utilities, Chandigarh, Chief Accounts Officer, UHBVN, Sector 15, Power Colony, Panchkula, and M.D. UHBVNL, Shakti Sadan, Sector 6, Panchkula to do the needful.

He has further requested that a personal hearing, if required, may be given so that the above cases may be explained in detail.

The brief facts of the case is given as under

- (i) It is submitted that some of the Divisional/Revenue Accountants filed CWP No 17280/2009 in the Punjab & Haryana High Court for grant of ACP Scales where the Hon ble Court directed the Nigam vide its order dated 12 11 2009 to decide the matter in accordance with law While considering the case for allowing the ACP to DA/RA as directed by the court the Co ordination Committee of Managing Director s of Haryana Power Utilities has decided to recommend the proposal subject to the approval of Haryana Bureau of Public Enterprises (HBPE) The recommendations of the MD s Co ordination Committee was considered by the Board of Directors of UHBVNL in its meeting held on 27 11 2009 and approved subject to the approval of Haryana Bureau of Public Enterprises Accordingly the proposal was sent to the Financial Commissioner and Principal Secretary (Power Department) for consideration and approval of the standing committee of HBPE on 01 02 2010 However the proposal was declined as conveyed by the Financial Commissioner & Principal Secretary (Power Department) vide its Memo No 16/10/2010-4 Power dated 15 04 2010 (Annexure A)
- (ii) The case of the official for the grant of 1st & 2nd ACP Scale was received in this office from the Xen S/U Divn No II Rohtak vide Memo No Ch 252 & Ch 253/EP 1592 dated 06 02 2015 (Annexure B) the same was considered by the competent authority and not found feasible for acceptance Decision take conveyed to the Xen S/U Divn No II UHBVNL Rohtak Vide this office Memo No Ch-413/CAO/Estt IOA 1708 dated 19 02 2015 (Annexure C)
- (iii) The GM/Admn /HR J (Co ordination) UHBVNL Panchkula has forwarded a complaint vide Memo No Ch 36/UH/P 11/CE/Vol II dated 20 02 2015 (Annexure D) regarding non sanction/allowing ACP Scale to Sh K L Nijhawan Divnl Acctt (Retd) The matter was again considered by the Competent Authority and the detailed position has also been apprised to the GM/Admn iHR I (Co ordination) UHBVNL Panchkula vide this office Memo No Ch 184/CAO/Estt IDA 1708 dated 04 03 2015
- (iv) The CAO HVPNL Panchkula vide Memo No 1661/Gen IO1 dated 20 11 2013 (Annexure E) has forwarded a copy of Judgement dated 19 08 2013 (nnexure F) passed by the Hon ble Punjab & Haryana High Court in Civil Writ Petition No 14537 of 1991 and RSA NO 3020 of 2001 After perusal of Point No 7 of the Judgement it is gathered that the official has also requested in the ibid CWP/RSA regarding grant of ACP Scale The Hon ble Punjab & Haryana High Court after going through the contents of the Civil Writ Petition as well as RSA did not find any merit and finally both CWP and RSA were dismissed by the Hon ble High Court vide above Judgement dated 19 08 2013 The extract of the Judgement dated 19 08 2013 of the Hon ble Punjab & Haryana High Court relating with the dispute for grant of ACP Scale under Para 7 is reproduced below



In the suit there has been a prayer for grant of at least the ACP scales. It has been rejected on a mere contention that the petitioner had earlier 3 promotions and ACP will be available only in case of stagnation. The counsel argued before me that the petitioner continued to be in the Accounts Department in the same post in which he continued till his retirement without earning any promotion. He did not cite before me any relevant rules relating to ACP scheme to secure the relief. It is therefore not possible for me to make any specific directions therefore.

- (v) It is further submitted that the benefit of ACP Scales as admissible w e f 01 01 1996 as per office order No 706/FA/HQ dated 27 02 1998 has not been granted to the officials working against the post of Divisional/Revenue Accountant in the UHBVNL on a/c of non acceptance of recommendations of the Co ordination Committee of Managing Directors of HPU s by Haryana Bureau of Public Enterprises as per decision conveyed by Financial Commissioner & Principal Secretary (Power Department) vide its Memo No 16110/2010 4 Power dated 15 04 2010.

It is further submitted that the benefit of ACP Scales as admissible w e f 01 01 1996 as per office order No 706/FA/HQ dated 27 02 1998 has not been granted to any of the Nigam employees working against the post of DA/RA as per ecision dated 15 04 2010 (Annexure A). This is for your kind information and further necessary action please.

This issues with the approval of Managing Direc r UHBVNL Panchkula

DA/as above

Chief Accounts Officer  
for M D UHBVNL Panehkula

Committee considered the department's reply in its meeting held on 29 01 2017 and committee felt satisfied with the reply. Therefore the Petition is disposed off accordingly.

**7 PETITION RECEIVED FROM SH RAJINDER KUMAR, H NO 490/5, GOBINDGARH FARM, JAGADHRI (YNR), REGARDING NEW SENIORITY LIST OF STAFF NURSE AND FILLING OF VACANT POST/PROMOTION**

The Petition received from Sh Rajinder Kumar reads as under

सेवा मे

चेयरमैन

Petition Committee

विधान सभा हरियाणा

चण्डीगढ़।

विधायक

यमुना नगर हरियाणा।

**विषय** Staff Nurse कार्यरत की नई Seniority List बनवाने बारे तथा रिक्त पदों को भरने व रिक्त पदों पर पदोन्नतियों करवाने बारे (प्रार्थना पत्र)

मान्यवर महोदय

निवेदन है कि मैंने दिनांक 19.11.2014 व 31.01.2015 को उपरोक्त Authority सलग्न पत्र व आप को पत्र लिखे थे। विभागीय कमियों कारण व कार्य की अधिकता होने कारण अवलोकन हेतु कुछ अल्पत्र रा. A C P व Leave Casule बारे हुई कठनाई बारे भेजे जाते हैं।

कृपया उपरोक्त विषयानुसार Seniority List रिक्त पदों को भरने व पदोन्नतियों करवाने का कष्ट/कृपा करें।

सधन्यवाद।

प्राथी

तिथि 02.02.2015

सलग्न 18 Page

Rajinder Kumar

H No 490/5 Gobindgarh Farm

Jagadhri (YNR) Haryana

The Petition was placed before the Committee in its meeting held on 18.02.2015 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 office of Director General Health Services Haryana vide their letter No 70/AL (48) 3 Nursing 2015/64488 dated 15.10.2015 which reads as under

प्रेषक

महानिदेशक स्वास्थ्य सेवाएं हरियाणा।

सेवा में

Committee Officer

Principal Secretary

Haryana Vidhan Sabha Secretariat

Sector 1 Chandigarh

यादी क्रमांक 70/एल (48) 3 नर्सिंग 2015/64488

दिनांक 15/10/2015

**विषय** Regarding new seniority list of staff nurse and filling of vacant post/promotion

उपरोक्त विषय पर आपके कार्यालय के पत्र क्रमांक HVS/Petition/14 15/2756 Dated 23 Feb 2015 Rem Dated 29 May 2015 and 26 June 2015 के सदर्थ में।



सदरित पत्रो द्वाराप मागी गई सूचना निम्न प्रकार से दी जाती है

- 1 स्टाफ नर्सों के 912 रिक्त पदों को भरने के लिए इस कार्यालय के पत्र क्रमांक 7/1 1 नर्सिंग 2915/2744 दिनांक 14 05 2015 द्वारा हरियाणा कर्मचारी चयन आयोग सैक्टर 2 पचकूला को माग पत्र भेजा हुआ है।
- 2 स्टाफ नर्सों की वरिष्ठता सूची तैयार की जा रही है। तदर्थ आधार से नियमित की गई स्टाफ नर्सों की सूची तैयार करके सभी सिविल सर्जनों/प्रधान चिकित्सा अधिकारियों को भेज कर कर्मचारियों की सेवा पुस्तिका से मिलान करके सभी कालक पूर्ण करके निदेशालय को भेजने के लिए लिखा गया है। सीधी भर्ती द्वारा नियुक्त स्टाफ नर्सों की सूची कम्प्यूटर में टाईप करवा दी गई है।
- 3 निदेशालय की योजना शाखा ने बड आकूपैन्सी के हिसाब से हरियाणा राज्य के सभी अस्पतालों में पदों की संख्या को सरकार के पत्र क्रमांक 23/57/2012 4HBIII दिनांक 15/04/2013 अनुसार 100 बिस्तरीय अस्पतालों में 5 पद नर्सिंग सिस्टर के एम0एल0जी0एच0 यमुना नगर में स्वीकृत कर दिए हैं तथा इन स्वीकृत पदों को पहले ही भर दिए हैं। इसके अतिरिक्त सामान्य अस्पताल जगाधरी में 60 विस्तरीय अस्पताल हैं जो पुराने नाम के अनुसार वहा पर 3 पद नर्सिंग सिस्टर के स्वीकृत हैं जो पहले ही भरे हुए हैं जहा तक स्टाफ नर्सों से नर्सिंग सिस्टर के पद पर पदोन्नतिया करने का सम्बन्ध है के बारे लिखा जाता है कि कार्यालय में उपलब्ध स्टाफ नर्सों की वरिष्ठता सूची 1990 अनुसार वरिष्ठतापुसार रिक्त पदों पर समय समय पर पदोन्नतिया की जाती है।

अधिक्षक नर्सिंग

कृते महानिदेशक स्वास्थ्य सेवाएं हरियाणा।

Committee consider the departments reply in its meeting held on 29 01 2017 and committee felt satisfied with the reply Therefore the Petition is disposed off accordingly

**8 PETITION RECEIVED FROM RESIDENTS OF TEHSIL CHACHROLI DISTT YAMUNANAGAR, REGARDING NOT TO SPLIT VILLAGE PANCHAYAT KANYAVALI**

The Petition received from Residents of Tehsil Chachrolhi reads as under

सेवा मे

चेयरमैन महोदय  
पटीशन कमेटी  
हरियाणा विधानसभा चण्डीगढ़।

विषय ग्राम पंचायत कन्यावाला मे से गाव दडवा भीलपुरा की पंचायत अलग ना करने बारे।

श्रीमान जी

निवेदन है कि हम प्राथी गाव भीलपुरा दडवा कन्यावाला महजादवाला बेलगढ तहसील छछरौली जिला यमुनानगर के रहने वाले है। यह कि हमारे पोंचो गावो की पंचायत कन्यावाला के नाम से है। अब हमारी

कन्यावाला की पचायत में से दो पचायत गांव दडवा व गांव भीलपुरा की बनाने की तैयारी डायरेक्टर पचायती राज चण्डीगढ़ द्वारा की जा रही है। जो कि बिल्कुल गलत है। क्योंकि इन पांच गांवों की पचायत कन्यावाला में से ग्राम पचायत दडवा व ग्राम पचायत भीलपुरा अलग होने से बाकी 3 गांवों कन्यावाला महजादवाला बेलगढ़ की पचायत बचती है। जिसमें महजादवाला गांव से बेलगढ़ वा कन्यावाला गांव में आपस में जाने के लिए कोई रास्ता नहीं है जो कि तहसीलदार छछरीली की रिपोर्ट साथ सलग्न है। अगर भीलपुरा वा दडवा की अलग पचायत बना दी गई तो महजादवाला और बेलगढ़ और कन्यावाला के लोगो को अपनी पचायत के कार्य के लिए एक दूसरे गांव में जाने के लिए भारी परेशानी का सामना करना पड़ेगा। जिसके बारे में पोंचो गांवों के लोगो ने 07 07 2012 को ग्राम सभा में प्रस्ताव पास करके यह निर्णय लिया था कि पचायत को अलग ना करके इक्टठा रखा जाए।

यह कि इन पोंचो गांवों में पचायत की आमदनी का साधन केवल भीलपुरा गांव में है। उसके अलग होने से बाकी चार गांवों में विकास कार्य करने का कोई आमदनी का साधन नहीं है। इसलिए हमारी पोंचो गांवों की पचायत एक ही रहे।

यह कि पचायती राज के अधिकारियों द्वारा तथ्य छुपाकर गलत रिपोर्ट प्रस्तुत की गई है जिनको आधार मानकर डायरेक्टर महोदय पचायती राज चण्डीगढ़ द्वारा पचायत कन्यावाला के गांव दडवा वा भीलपुरा की अलग अलग से पचायत बनाने की तैयारी हो रही। जो कि बिल्कुल गलत है।

अतः जनाब से प्रार्थना है कि पांचो गांवों की पचायत इक्टठी रखी जाए और पचायत को अलग ना किया जावे तथा जिन अधिकारियों द्वारा तथ्य छुपाकर झूठी रिपोर्ट की गई है उनके खिलाफ विभागिय जाच कराकर कारवाई करने का कष्ट किया जावे। आपकी अति कृपा होगी।

धन्यावाद।

दिनांक 11 05 2015

प्राथीगण

राकेश कुमार

अशोक कुमार आदि

The Petition was placed before the Committee in its meeting held on 13 05 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 Office of Additional Chief Secretary to Government of Haryana Development and Panchayat Department Haryana vide their letter No ESA 2 2015/8430 dated 19 02 2016 which reads as under

प्रेषक

अतिरिक्त मुख्य सचिव हरियाणा सरकार  
विकास तथा पंचायत विभाग  
चण्डीगढ़।

सेवा में

प्रधान सचिव  
हरियाणा विधान सभा सचिवालय।  
ई0सी0ए0 2 2015/8430

दिनांक 19/02/2016

**विषय** ग्राम पंचायत कन्यावालान बनाने बारे।

उपरोक्त विषय पर आपके पत्र क्रमांक एच0वी0एस0पीटीशन 15 16/6846 दिनांक 13 05 2015

के सदर्थ में।

इस सबध में आपको सूचित किया जाता है कि इस केस का पूर्ण विवरण इस प्रकार से है कि श्री सन्दीप कुमार एडवोकेट के माध्यम से लीगल नोटिस जिसमें अनुरोध किया गया था कि ग्राम पंचायत कन्यावाला से गाव भीलपुरा व दडवा की अलग ग्राम पंचायत बनाई जाए। यह नोटिस उपायुक्त यमुनानगर को टिप्पणी हेतु भेजा गया था। श्री जय चन्द तथा अन्य निवासी गाव भीलपुरा व दडवा ने माननीय उच्च न्यायालय में सिविल याचिका न0 7561 ऑफ 2014 दायर की गई थी। जिस पर माननीय उच्च न्यायालय द्वारा अपने निर्णय दिनांक 03 07 2014 अनुबध पी0 4 पर माह के अन्दर 2 स्पीकिंग आदेश किए जाए।

उपायुक्त यमुनानगर ने इस विभाग के पत्र दिनांक 28 03 2014 के सदर्थ में ग्राम पंचायत कन्यावाला से गाव भीलपुरा व दडवा की अलग ग्राम पंचायत बनाने का केस अपनी सिफारिश सहित भेजा गया। माननीय उच्च न्यायालय के निर्णय के दृष्टिगत प्रार्थी श्री जयचन्द व अन्य को नीजि सुनवाई हेतु मौका दिया गया। इसी दौरान श्री जयचन्द तथा अन्य ने माननीय उच्च न्यायालय में 333 ऑफ 2015 दायर की गई। जिस पर माननीय उच्च न्यायालय द्वारा अपने निर्णय दिनांक 09 01 2015 द्वारा उक्त याचिका को डिसमिस करते हुए निम्न निर्णय लिया।

**Dismissed with a direction to the Director Development & Panchayats Department Haryana with whom the issue is pending to expedite the matter and decide the issue after passing a speaking order and providing an opportunity of hearing to the petitioners within a period of three months**

उक्त निर्णय के दृष्टिगत श्री जयचन्द निवासी भीलपुरा तथा श्री सचिव निवासी दडवा तथा खड विकास एव पंचायत अधिकारी छछरौली को इस केस से समस्त रिकार्ड व दस्तावेज लेकर दिनांक 05 03 2014 को नीजि सुनवाई हेतु बुलाया गया। इस विभाग के आदेश दिनांक 13 03 2015 जो इस विभाग के पृष्ठ क्रमांक ई0सी0ए0 2 2011/15801 16806 दिनांक 13 03 2015 को स्पीकिंग आदेश जारी किए गए जिसकी पालना में सरकार द्वारा ग्राम पंचायत कन्यावाला से गाव भीलपुरा तथा दडवा की अलग ग्राम पंचायत का गठन विभाग की अधिसूचना दिनांक 15 05 2015 को किया गया।

श्री राजेश कुमार व अन्य द्वारा दिया गया प्रार्थना पत्र जो हरियाणा विधान सभा के कार्यालय के पत्र क्रमांक HVS/Petition/15 16/6846 दिनांक 13 05 2015 को जो इस विभाग में दिनांक 29 05 2015 को प्राप्त हुआ था। इस पत्र पर देरी से कार्यवाही करने के लिए सम्बन्धित सहायक श्री प्रताप सिंह को हरियाणा सिविल सेवाएं दण्ड तथा अपील नियमावली 1987 के तहत आरोपित किया जा चुका है। अब जबकि ग्राम पंचायत का गठन हो चुका है। लेकिन यह मामला माननीय सुप्रीम कोर्ट उच्चतम न्यायालय में विचारधीन है क्योंकि श्री सुशील कुमार व अन्य निवासी कन्यावाला नहसील छछरौली जिला यमुनानगर ने माननीय उच्चतम न्यायालय में एस0एल0पी0 (सी0) न0 24795 ऑफ 2015 दायर की गई है। इस एस0एल0पी0 पर अभी निर्णय अभी नहीं हुआ है। यह SLP माननीय उच्च न्यायालय में दिनांक 15 03 2016 को लगने की संभावना है।

उप निदेशक पंचायत 1

कृते अतिरिक्त मुख्य सचिव हरियाणा सरकार  
विकास तथा पंचायत विभाग।

The Committee considered the department reply in its meeting held on 29 01 2017 and as per the department reply the matter is pending in High Court Therefore Committee is of the view that since the matter is subjudice and the Committee can't interfere in the subjudice matter Therefore Petition is disposed off accordingly

**9 PETITION RECEIVED FROM SMT DILKAUR W/O SH HOSHIAR SINGH, V P O KAMI, DISTT SONEPAT, REGARDING OLD AGE PENSION**

The Petition received from Sh Dilkaur reads as under

सेवा मे

चैयरमैन सर  
पटीसन कमेटी  
हरियाणा विधान सभा  
चण्डीगढ़।

विषय विधवा पेंशन दिलवाने के बारे

श्रीमान जी

सविनय निवेदन यह है कि मैं दिलकौर W/o होशियार सिंह गांव कामी जिला सोनीपत की स्थाई निवासी हूँ। मेरी जाति लुहार है। मेरी विधवा पेंशन यू0आई0डी0/ई0आई0डी0 न0 3232911 है जो मैं हरकेश W/o होदयाराम के नाम से प्राप्त करती रही हूँ मेरी विधवा पेंशन दिसम्बर 2015 से बन्द कर दी गई। जब मुझे यह पता चला कि मेरी पेंशन बन्द या काट दी गई तो मैं तुरन्त समाज कल्याण विभाग सोनीपत के अफसर से मिली उन्होंने मुझे बताया की आपके आधार कार्ड राशन कार्ड वोट कार्ड के नाम से आपका नाम मैच नहीं करता इसलिए आपका नाम विधवा पेंशन वितरण योजना से काट दिया गया तभी तुरन्त मैंने अपने प्रमाण पत्रों सहित समाज कल्याण विभाग सोनीपत को जनवरी 2016 में अर्जी लगाई की मेरा नाम ठीक करके मेरी विधवा पेंशन चालू की जाए उस विभाग के अफसर ने मेरी अर्जी खारीज करके कूड़ेदान में डाल दी और कहा यह नाम चण्डीगढ़ से ही ठीक होगा। मैं आपके माध्यम से विभाग के आफिस से अपनी पेंशन चलवाने के लिए अर्जी लगी रही हूँ। शात में अपने सही नाम के प्रमाण पत्र सलग्न कर रही हूँ। कृपया करके मेरी विधवा पेंशन चालू करवा दी जाए। आपकी अति कृपा होगी।

धन्यवाद

भवदीय

दिलकौर W/o होशियार सिंह

The Petition was placed before the Committee in its meeting held on 03 05 2016 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 the Office of Director Social Justice & Empowerment Haryana vide their letter No 30164/P 3/OAP/SJE/2016 dated 01 09 2016 which reads as under

प्रेषक

निदेशक  
सामाजिक न्याय एवं अधिकारिता विभाग  
हरियाणा चण्डीगढ़

सेवा मे

लेखा अधिकारी  
कार्यालय प्रधान सचिव  
हरियाणा विधान सभा सचिवालय  
चण्डीगढ़।

क्रमांक 30164/पी 3/ओ ए पी /एस जे ई /2016 दिनांक 01 9 2016

**विषय** Regarding Old Age Pension

उपरोक्त विषय पर आपके कार्यालय पत्र क्रमांक HVS/Petion/478/16 17/8453 दिनांक 11 5 2016 के सदर्थ में।

जिला समाज कल्याण अधिकारी सोनीपत से प्राप्त रिपोर्ट के आधार पर आपको सूचित किया जाता है कि श्रीमति दिलकौर पत्नी श्री होशियार सिंह जिला सोनीपत से हरकेश पत्नी श्री होदया राम के नाम से पेंशन प्राप्त कर रही थी जिसका पेंशन आई डी न 3232911 है। आई सी आई सी आई बैंक द्वारा लाभार्थी का हरकेश के नाम से बैंक खाता खोला गया है और बैंक खाता को अपलोड भी किया गया है। जिला समाज कल्याण अधिकारी द्वारा विभाग को यह भी सूचित किया गया है कि उनके कार्यालय में लाभार्थी का स्वयं का एव उसके पति का नाम ठीक करने हेतु कोई आवेदन पत्र लम्बित नहीं।

आपको यह भी अवगत करवाया जाता है कि चूकि विभाग के मुख्य डाटा में लाभार्थी का स्वयं का एव उसके पति का नाम गलत है जिसके लिये लाभार्थी को पुन आवेदन फार्म भरकर शपथ पत्र सहित नाम ठीक करवाने हेतु जिला समाज कल्याण अधिकारी सोनीपत के कार्यालय में दिया जाना होगी। इसके पश्चात जिला समाज कल्याण अधिकारी सोनीपत के कार्यालय द्वारा आगामी कार्यवाही की जायेगी। पदोपरान्त लाभार्थी को पेंशन मिलनी प्रारम्भ होगी।

उप निदेशक (पेंशन)

कृते निदेशक सामाजिक न्याय एवं अधिकारिता विभाग  
हरियाणा चण्डीगढ़।

Committee also received application of Smt Dalkaur Stated that here grevance was resolved which reads as under —

सेवा मे

चैयरमैन सर  
पटीसन कमेटी  
हरियाणा विधान सभा चण्डीगढ़।

**विषय** बुढ़ापा सम्मान भत्ता के बारे।

श्रीमान जी

सविनय निवेदन यह है कि मैं दिलकौर W/o होशियार सिंह गांव कामी जिला सोनीपत ने 3 05 2016 को आपी कमेटी को अपनी बुढ़ापा सम्मान भत्ता के बारे में याचिका दायर की थी। मैं पिछले सात आठ महीने से विभाग के चक्कर काट रही थी लेकिन मेरा बुढ़ापा सम्मान भत्ता चालू नहीं किया जा रहा था।

हरियाणा विधान सभा चण्डीगढ़ की पटिशन कमेटी के चेयरमैन मैम्बर और अधिकारियों के प्रयासों से मेरा बूढ़ापा सम्मान भत्ता समाज कल्याण विभाग ने शुरू कर दिया है। जिससे मुझे उम्र के इस पड़ाव से बहुत सहारा मिला है। और मे पटिशन कमेटी के चेयरमैन मैम्बर व अधिकारियों का आभार प्रकट करती हूँ

प्रार्थी

दिलकौर W/o होशियार सिंह  
गांव कामी जिला सोनीपत।

Committee considered the department's reply and the application of Petitioner in its meeting held on 29 01 2017 and committee felt satisfied with the reply and of the view that that Petitioner's grievance stand resolved Therefore the Petition is disposed off accordingly

**10 PETITION RECEIVED FROM SH KHARATI LAL NIJAWAN, H NO 599 A/30, ADARASH NAGAR ROHTAK, REGARDING NON SETTLEMENT OF REVISED PENSION TO GOVT AIDED SCHOOLS HARYANA PENSIONERS/FAMILY PENSIONERS W E F 01 08 2011**

The Petition received from Sh Kharati Lal reads as under

To

Sh Ghansham Dass Arora Ji M L A  
Chairman Petitions Committee  
Haryana Vidhan Sabha  
Chandigarh

**Sub Non Settlement of revised pension to Govt Aided Schools Haryana Pensioners/Family Pensioners w e f 01 08 2011**

Respected Sir

With due respect it is brought to your kind notice that pension/family pension of the retirees of Govt Aided Schools was revised during the year 2013 w e f 01 08 2011 but it is sorry to point out that what to speak of arrear even the payment of revised pension has not been started till date besides various requests/reminders to the Director Elementary Education Haryana Panchkula Hundreds of such cases are lying pending in the office of Director School Education Haryana Panchkula for instance three such cases are given below

Sr No	Name of Pensioner	Name of Institution
1	Late Smt Usha JBT Teacher W/o Sh K L Nijhawan	Saini Primary School Rohtak
2	Late Smt Parvesh JBT Teacher W/o Sh Ashok Gakhar	Saini Primary School Rohtak
3	Smt Ved Kaur JBT Teacher	Saini Primary School Rohtak



In view of the above it is requested to look into the case and direct the concerned authorities i.e. Director Elementary Education Haryana Panchkula and Secretary Education Haryana Chandigarh to do the needful

A personal hearing if required may be given so that the above cases may be explained to your goodself in detail

Thanking you

Yours Faithfully

Dated 28 05 2015

Kharati Lal Nijhawan  
599 A/30 Adarsh Nagar  
Rohtak 124001 (Haryana)  
Mob 9541444069

The Petition was placed before the Committee in its meeting held on 03 06 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 along with revised PPO/GPO orders from Director Elementary Education Haryana Panchkula vide their Memo No 6/77 01 PP(4) dated 02 02 2015 which reads as under

From

Director Elementary Education  
Haryana Panchkula

To

Account Officer For Principal Secretary  
Haryana Vidhan Sabha Secretariat

Memo No 6/77 01 PP (4)  
Dated Panchkula the 02/12/2015

**Subject Regarding Non Settlement of revised pension to Govt Aided Schools of Haryana pensioners/Family Pensioners w e f 01 08 2011**

Respected Sir/Madam

Please refer to your office letter no HVS/Petition/15 16/8857 58 and reminder dated 14 10 2015 on the subject cited above

A Petition was received through your office from Sh Kharati Lal Nijhwan H No 599 A/30 Adarsh Nagar Rohtak vide which he was requested to settle a revised pension of following of Pensioners/Family Pensioners of Govt Privately Aided Schools

Sr No	Name of Pensioner	Name of Institution
1	Late Smt Usha JBT Sh K L Nijhawan	Saini Primary School Rohtak

- 2 Late Smt Parvesh JBT Teacher Saini Primary School Rohtak  
W/o Sh Ashok Gakhar
- 3 Smt Ved Kaur JBT Teacher Saini Primary School Rohtak

It is inform to you that petitions of above mentioned Pensioners/Family Pensioners has been sought out and revised PPO/GPO has been issued to the concerned Copy of the same are attached herewith\_

D A As above

Superintendent Pension Primary  
for Director Elementary Education  
Haryana Panchkula  
Dated Panchkula

Endst No

A copy is forwarded to Sh Kharati Lal Nijhwan H No 599 A/30 Adarsh Nagar Rohtak for information

Superintendent Pension Primary  
for Director Elementary Education  
Haryana Panchkula

Committee considered the department reply in its meeting held on 22 2017 and committee felt satisfied with the reply and of the view that that Petitioner s grievance stand resolved Therefore the Petition is disposed off accordingly

**11 PETITION RECEIVED FROM SH SARUP SINGH, VILLAGE MUNDAL BANDAHERI, TEHSIL HANSI, DISTT HISAR, REGARDING RETIREMENT BENEFITS**

The Petition received from Sh Sarup Singh reads as under

To

The Chairman  
Petition Committee  
Haryana Vidhan Sabha  
Chandigarh

Subject Release of retired benefits

Sir

With due respect it is stated that I have retired as Peon from Haryana State Co operative Agriculture and Rural Development Bank Ltd w e f 29th February 2016

but I have not received my retirement benefit till to date So I request you to kindly direct the said department to release my retrial benefits I will be very thankful to you

Thanking You

Yours sincerely

Sarup Singh  
Village Mundal  
Tehsil Hansi  
District Hisar

The Petition was placed before the Committee in its meeting held on 02 08 2016 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 by which they inform that retirement dues of the petitioner has been sanctioned vide their letter No EA/HDB/2016/8734 dated 29 08 2016 which reads as under

Grams KRISHIBANK

THE HARYANA STATE COOPERATIVE AGRICULTURE AND RURAL  
DEVELOPMENT BANK LTD, PANCHKULA

Shakanta Bhawan Bays No 31 34 Sector 2 Panchkula Haryana  
No EA/HDB/2016/8734 Regd Dated 29 08 2016

The Principal Secretary  
Haryana Vidhan Sabha Secretariat  
Chandigarh

**Subject - Regarding retirement benefits of Sh Sarup Singh, Peon (Retd )**

Respected Sir

Kindly refer to your office letter No HVS/Petition/498/16 17/17447 dated 04 08 2016 on the above noted subject

In this regard it is submitted that the retirement dues of Sh Sarup Singh Peon S/on Sh Phool Singh who had retired from the service of bank on 29 02 16 has been sanctioned an amount of Rs 9 72 651 60 only vide this office orders No EA/HDB/16/8602 06 dated 22 08 2016

Thanking you

Yours Faithfully

Managing Director

**OFFICE ORDER**

The following dues of Sh Sarup Singh Peon (Retd ) S/o Sh Phool Singh Singh who retired from the services of this Bank from DPCARDB Ltd Br Meham on 29 02 2016 are hereby sanctioned to release as per details given below

<b>Amt Payable by H O PKL</b>	<b>Amount</b>
1 Gratuity	Rs 4 38 669 00
2 Leave encashment	Rs 2 81 333 00
3 Staff Security	Rs 100-00
4 Intt on Staff Security	Rs 168 60
<b>Total</b>	<b>Rs 7,20,270 60</b>

**Dues Payable by**

**PCARDB Ltd Kalanaur Now merged in Br Rohtak**

1 Gratuity	Rs 1 53 534 00
2 Leave encashment	Rs 98 847 00
<b>Total</b>	<b>Rs 2,52,381 00</b>

**Net Payable Rs 7 20 270 60+2 52 381 00=Rs 9 72 651 60**

**Rs 9 72 651 (Rupees Nine lacs seventy two thousand six hundred fifty one and sixty paise only)**

**Managing Director  
The Haryana State Coop Agri &  
Rural Dev Bank Ltd Panchkula**

**Endst No EA/HDB/16/8602 8606**

**Dated 22 08 2016**

**A copy of the above is forwarded for information and necessary action to**

- 1 Sh Sarup Singh Peon (Retd ) S/o Sh Phool Singh  
VPO Mundal (Bandahari) Teh Hansi Distt Hisar**
- 2 The CEO DPCARDB Ltd Br Rohtak**
- 3 The CEO DPCARDB Ltd Br Rohtak and Meham**
- 4 Incharge (Accounts) Section in H O Panchkula**

**Managing Director**

**Committee considered the department reply in its meeting held on 02 02 2017 and committee felt satisfied with the reply and of the view that that**

Petitioner's grievance stand resolved Therefore the Petition is disposed off accordingly

**12 PETITION RECEIVED FROM SH BHIM SINGH R/O V P O BIDHAL, TEHSIL GOHANA, DISTT SONEPAT, REGARDING OLD AGE PENSION**

The Petition received from Sh Bhim Singh reads as under

सेवा मे

चेयरमैन  
पटिशन कमेटी  
चण्डीगढ।

**विषय** समाज कल्याण विभाग मे मृतक दिखावट अप्रैल 2015 से बन्द बुढापा पेंशन को आरम्भ करवाने बारे।

**श्रीमान जी**

निवेदन है कि मैं भीम सिंह S/o श्री मोंगेराम गॉव बोधल तहसील गोहाना जिला सोनीपत का स्थाई निवासी हूँ। मेरी उम्र 82 वर्ष के लगभग है और मेरी बुढापा पेंशन 1997 मे बनी थी जो कि पिछले मार्च 2015 लगाकर मुझे मिलती रही है। लेकिन पिछले साल 2015 मे किसी के कहने पर विभाग ने मुझे मृत दिखाकर मेरी बुढापा पेंशन बन्द कर दी है और अप्रैल 2015 से मुझे मेरी पेंशन नहीं मिली है। मेरी पेंशन का ID नम्बर 3338318 है और 04-01 2016 को मैंने OBC बैंक की शाखा जो कि गॉव मे है मैंने अपना खाता भी खुलवा लिया था जिसका न 19132191014219 है।

श्रीमान जी पिछले दो साल से दुर्घटना मे मेरे पैर की हड्डी टूट थी जिसके कारण मैं चलने फिरने मे असमर्थ हूँ। मुझे कहीं आने जाने के लिए विकास जो कि लिये विकास जो कि मेरा पोता है उसी पर निर्भर रहना पडता है। इसलिए मेरी वृद्ध अवस्था को देखते हुए जनाब से प्रार्थना है कि मेरी बन्द बुढापा पेंशन पिछले वर्ष 2015 से आरम्भ करवा कर मुझे दिलाई जाये। आप की अति कृपा होगी।

भीम सिंह

The Petition was placed before the Committee in its meeting held on 15 09 2016 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 Social Justice & Empowerment Haryana vide their letter No 37372/P 3/OAP/SJE/2016 dated 25 11 2016 which reads as under

**प्रेषक**

निदेशक  
सामाजिक न्याय एवं अधिकारिता विभाग  
हरियाणा चण्डीगढ।

सेवा में

लेखा अधिकारी कार्यालय प्रधान सचिव  
हरियाणा विधानसभा सचिवालय  
चण्डीगढ़।

क्रमांक 37372/पी 3/ओ0ए0पी0/एस0जे0ई0/2016  
दिनांक 25/11/2016

**विषय**                    **Regarding Old Age Pension**

उपरोक्त विषय पर आपके कार्यालय के पत्र क्रमांक HVS/Petition/506/16 17/21867 दिनांक 29 सितम्बर 2016 के सदर्थ में।

उक्त सदर्थित पत्र में आप द्वारा दर्शाये गये लाभार्थी श्री भीम सिंह पुत्र श्री मागे राम निवासी गांव बीघल तह0 गोहाना जिला सोनीपत के बारे में जिला समाज कल्याण अधिकारी सोनीपत से प्राप्त रिपोर्ट के आधार पर आपको सूचित किया जाता है कि उक्त लाभार्थी की पेंशन उस द्वारा बैंक खाता उपलब्ध न करवाये जाने के कारण दिनांक 04 02 2016 को untraceable की ओप्शन में रोक दी गई थी। अब लाभार्थी का बैंक खाता अपलोड होने के कारण लाभार्थी का स्टेटस विभाग की वेबसाइट पर मुख्य डाटा में normal कर दिया गया है तथा लाभार्थी की आगामी मास पेंशन उसके खाते में भेज दी जायेगी। लाभार्थी को अपनी पेंशन बारे सम्बन्धित बैंक/डाक घर से सम्पर्क करने हेतु सूचित कर दिया गया है।

उप निदेशक (पै0)

कृते निदेशक सामाजिक न्याय एवं अधिकारिता विभाग  
हरियाणा चण्डीगढ़।

Committee considered the department's reply in its meeting held on 02 02 2017 and committee felt satisfied with the reply and of the view that that Petitioner's grievance stand resolved Therefore the Petition is disposed off accordingly

**13        PETITION RECEIVED FROM SHRI RAJESH JAIN S/O  
SH SURESH CHANDRA JAIN R/O HANS VIHAR SOCIETY, SECTOR  
13, ROHINI, REGARDING COMPLAINT AGAINST M/S BPTP LIMITED**

The Petition received from Shri Rajesh Jain reads as under

**BEFORE THE HON BLE CHAIRMAN, PETITION COMMITTEE,  
VIDHAN SABHA, GOVT OF HARYANA, CHANDIGARH**

**IN THE MATTER OF**

**RAJESH JAIN**

**S/O SH SURESH CHANDRA JAIN**

**R/O HANS VIHAR SOCIETY**

SECTOR I3 ROHINI DELHI 110085  
 PERMANENT ADD SHANTI NIWAS  
 NEAR DAKHANIA MANDIR RAMRAI GATE  
 JIND HARYANA 126102

Petitioner

VERSUS

- 1 **M/S BPTP LTD**  
 M II MIDDLE CIRCLE  
 CONNAUGHT CIRCUS  
 NEW DELHI 110001
- 2 **M/S COUNTRYWIDE PROMOTERS PVT LTD & OTHERS**  
 M II MIDDLE CIRCLE  
 CONNAUGHT CIRCUS  
 NEW DELHI 110001

Respondents

**MOST RESPECTFULLY SHOWETH**

The Petitioner above named most respectfully submits as under

- 1 That the Respondents had approached the Petitioner through its agents employees in July 2010 with a proposal to buy a residential flat proposed to be constructed by the Respondents in Sector BD Faridabad Haryana in the proposed township under the name Park Arena On the basis of representations and assurances made by the Respondents regarding timely delivery of possession of the said flat coupled with its reasonable price the Petitioner agreed to the proposal and booked a residential flat bearing no B 302 with super area of approx 102.84 Sq mts in the Respondents purported residential project Park Arena proposed to be developed at Sector 80 Faridabad Haryana For that purpose the Petitioner also filled an application form on 26/8/2010 on demand by the Respondents *which* contained indicative terms and conditions for allotment of the residential flat **Copy of the Application Form is annexed**
- 2 At the time of inducing the Petitioner to book the said residential flat the Respondents also assured that the possession of the residential flat would be delivered within 36 months from the date of application On the basis of repeated assurances of the Respondents the Petitioner booked the said flat and paid a total amount of Rupees 34,27,161/- till date which is almost 88% of the total cost of the flat including all applicable charges
- 3 The Respondents have also executed a Flat Buyers Agreement dated 7th July 2011 with the Petitioner for the purpose of sale and transfer ownership and possession of the said residential flat According to Clause 3 of the said

agreement dated 7th July 2011 the Respondent expressly agreed and assured to deliver possession of constructed flat within 36 months from the date of booking/registration of the flat. It was further agreed and assured that the grace period of 180 days could also be given to the Respondents however in any case the time for delivery of the proposed flat would not extend beyond 42 months in any case otherwise the Petitioner shall be entitled for compensation. **Copy of Flat Buyers Agreement is annexed**

- 4 The Petitioner has paid a total amount of Rupees 34 27 161/- till date being 88 percentage of the total cost of the flat including all charges. The Respondent has failed to deliver the possession of the flat till date even after expiry of period of 42 months despite repeated requests by the Petitioner. **The Respondent cannot deliver a possession in near future as there is no sign of progress of construction of flat at the proposed site.** This fact itself clearly demonstrates that the Respondents have obtained money solely for the purpose of cheating the Petitioner by committing fraud. The Respondents neither returning the money paid by the Petitioner nor constructing the flat in question therefore there is no question of any delivery of the Flat and by retaining the hard earned money of the Petitioner illegally the Respondents are taking law into their hands fraudulently. **A copy of the statement of account showing payment of Rs 34 27,161/- by the Petitioner to the Respondents is annexed**

**The photographs of the site showing no progress in construction are annexed**

- 5 That after being agreed of the conduct of the Respondents the Petitioner has written a letter dated 9th May 2016 to the Director DTCP Chandigarh requesting to take appropriate action against the Respondents including cancellation of license issued by DTCP Haryana. The Petitioner also sent two reminders dated 20/5/2016 & 26/5/2016 respectively to the Director DTCP Haryana however no action till date has been taken by DTCP Haryana against the Respondent. **The copies of letter dated 09 05 2016, 20 05 2016 and 26 05 2016 are annexed**
- 6 That it is well settled that the malpractices adopted by the Respondent builders be deprecated and the terms and conditions of the agreement between the consumer and a builder cannot be strictly constituted in favour of the builders so as to make them more convenient in playing with hard earned money of the consumers/innocent buyers. It is also well settled held that the consumers/innocent buyers are entitled for exemplary costs and



compensation from the builder in case they fail to deliver the possession of residential flat in agreed time bound manner

- 7 That the Respondents have failed on every occasion to resume the construction of work at the site after giving many written assurances on E mail from time to time **Annexures of E mails attached**
- 8 In view of the aforesaid facts and circumstances it is most humbly prayed that appropriate action be taken against the Respondent builders and directions be issued for
  - (a) Filing a case of cheating & fraud against all the Directors under various sections of IPC and give the direction to C P at Gurgaon
  - (b) Refund of entire amount of Rupees 34 27 1611 paid by the Petitioner to the Respondent till date
  - (c) Interest at the rate 24 percent (P A ) be directed to be paid on the total amount Rs 34 27 1611 paid by the Petitioner to the Respondent
  - (d) Exemplary compensation of Rupees 1 Crore be also directed to be paid by the Respondent to the Petitioner
  - (e) Respondent be also directed to pay rent for alternative residential accommodation at the rate Rs 25000 per month from the date when the Respondent was supposed to deliver the possession of the Flat till date

Rajesh Jain

Petitioner

The Petition was placed before the Committee in its meeting held on 05 07 2016 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 in its meeting held on 25 10 2016 in which Committee orally examined the departmental representative of Senior Town & Country Planning Department and representative of MIs BPTP Limited in which MIs BPTP Limited assured the Committee that they will dispose off the grievances of petitioner

Thereafter on 8 11 2016 petitioner submitted a application before the Committee stated that his dispute was amicably settled with M/s BPTPLtd and his petition may be filed Application of Shr Rajesh Jain reads as under

To

Hon ble Chairman  
Petition Committee  
Vidhan Sabha  
Govt of Haryana  
Chandigarh

**Subject Intimation regarding amicable settlement with BPTP Ltd  
"Company"andunconditional withdrawal of my Complaint No against  
BPTP Ltd**

Sir

In reference to the complaint filed before the Hon ble Chairman Petition Committee Vidhan Sabha Government of Haryana Chandigarh by me with respect to unit B-302 in the project Park Arena Sector-80 Fardabad against M/s BPTP Ltd ("Company"), I would like to state that I have been compensated by the Company amicably and now I am left with no disputes claims and gnevances against the Company and/or its management officials etc and therefore I hereby do not wish to proceed against the Company and / or its Directors management officials etc

Accordingly I hereby unconditionally withdraw all my complaints and this request letter be submitted with the concerned departments

With regards I extend my sincere gratitude for your kind cooperation

Thanking You

Yours Faithfully

Rajesh Jain

R/o G 9 Hans Vihar Society Sector-13

Rohini New Delhi 110085

Mob No 9810610818 88

The Committee Considered the reply of the Petitioner in its meeting held on 22 2017. The Petitioner in his reply dated 8 11 2016 informed the Committee that he has been Compensated by the Company amicably and no dispute is lying pending. Therefore the Committee decided to dispose off the petition accordingly.

**14 PETITION RECEIVED FROM MRS SANTOSH (EX PRINCIPAL GOVT SEN SECONDARY SCHOOL BARWALA HISAR H NO 482 SECTOR 15 A HISAR REGARDING CORRECTION IN DATE OF BIRTH IN SERVICE RECORD**

The Petition received from Mrs Santosh reads as under

To

The Chairman  
Petition Committee  
Haryana Legislative Assembly Chandigarh

**Sub Correction in date of birth in service record by Dte of secondary education Panchkula Haryana implementation of PF rule 7 3(CSR vol 1 Page 431 Read with FD HR No/2/99 3 FR II Dated 13 08 2001)**

Respected Sir

Most respectfully I would like to bring to your kind notice following few facts in regards to above said subject for your kind consideration and necessary action please

1 Firstly all my efforts in this regard have failed despite the fact that the rule for correction of date of birth in service book exists in civil service rule (7 3) read with FD HR No/ 2/2/99 3 FR II. Under this rule one can apply beyond the stipulated period (two year after joining service) as the rule was amended in 2001 by finance department Haryana. I have been retired on 31 08 2016 as per my old date of birth record in service book at the post of S S Mistress. I would now like to take up the matter to its logical conclusion.

2 That I had joined as S S Mistress on 26 04 1990. Eight months later it was revealed that date of birth mentioned in the service book (20 08 1958) on the basis of matric certificate was different from Municipal birth certificate wherein date of birth mentioned was 18 07 1960. Immediately thereafter I got it corrected through civil court in 1999 (case no 1252/27 12 1990). A New matric certificate with correct date of birth was issued by Haryana board of school education Bhiwani in the year 16 06 2004. VIDE NO 4553/D/CERT Sr No 275. Matric certificate and birth certificate were mandatory requirement prior to consideration of plea as per rule 7 3 CSR vol 1. The requisite documents in original were submitted to the Directorate office immediately thereafter through proper channel but no response has ever come from the office concerned.

Even the said documents were lost by the office. There is no denying the fact that the matter had been continuously pursued through several representations made during the year (1995-2009). The detail had already been submitted with the department.

3 Secondly I was directly selected at a new post of principal (Direct Selection) Govt. senior secondary school Anaj Mandi Barwala (Hisar) by HPSC Panchkula in 2007-08. New date of birth was mentioned as 18-07-1960 in application form and profile given was 018585. Even this new post/job with new date of birth can be taken as basis for correction of my old date of birth in service book. Moreover, three years extension was given from 55 to 58 years of age on new date of birth (18-07-60) but to my surprise the extension given was withdrawn two days prior to my retirement on 31-08-2016 (as on old DOB record) vide letter no 21/59/2016 HRG 1(3) dated 19-08-2016 even without issuing me any notice. This was in response to my request for correction in my service record. This was against the principles of natural justice and the decision taken is illogical, void and unreasonable amounting to nonapplication of mind. I again made representation to revise the decision taken in the light of rule 7/3/2001 PF rule but no reply has been received by me in this regard so far.

4 There are two components of said rule as mentioned above for correction of date of birth.

Firstly, one can make application beyond the stipulated period of two years after joining the job. The case can be considered by administrative department, government of Haryana in consultation with finance department, Haryana.

Secondly, Government, however, reserves the right to make a correction in recorded age at any time when it is satisfied that age recorded was incorrect. It is entirely discretionary (judging wisely and objectively) on the part of sanctioning authority to refuse or grant such application unless it is proved that the date of birth as originally given by the applicant was a bonafide mistake.

5 It is therefore inferred from the existing rule that DOB once entered in service book is never final and same can be changed by civil law. No court judgments have ever barred the state government for correcting wrongly entered date of birth in service book. The law officer of the directorate office has also given a wrong opinion in this regard. He may have relied upon old rule prior to 2001 in this regard.

6 That even Hon'ble Supreme Court in Union of India v/s Harnam Singh 1993(2) SCC 1621 had held that the Government servant cannot be precluded from making a request at a later stage for correcting his/her date of birth in service record. It is open to civil servant to claim correction in date of birth if one is in possession of irrefutable proof relating to date of birth.



In view of facts said above it is therefore requested to reconsider my plea in this regard and direct the concerned office to do justice to me as per the rule quoted above. However I would prefer to be heard in person before any decision is taken in this regard.

Hoping for an early reply

Thanking you

Dated 20 09 2016

Yours Sincerely

Mr Santosh

(Ex Principal Govt Sen Sec School Barwala Hisar)

H No 482 Sector 15 A Hisar

The Petition was placed before the Committee in its meeting held on 20 09 2016 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 Secondary Education Haryana Panchkula vide their letter No 21/59 2016 hrg 1(3) dated 02 11 2016 which reads as under

प्रेषक

निदेशक सैकण्डरी शिक्षा हरियाणा  
शिक्षा सदन सैक्टर 5 पचकूला।

सेवा मे

प्रधान सचिव  
हरियाणा विधान सभा सचिवालय  
चण्डीगढ़।

यादी क्रमाक 21/59 2016 एच0आर0जी0 1 (3)  
दिनाक पचकूला 2 11 16

**Subject** Regarding correction in date of Birth

उपरोक्त विषय पर आपके पत्र क्रमाक एच0बी0एस0पैटीशन/509/16 17/21968 दिनाक 3 10 2016 के सन्दर्भ मे।

विषयाकित्त मामले मे अकित किया जाता है कि प्राचार्या श्रीमती सतोष कुमारी का 55 से 58 वर्ष का सेवावृद्धि मामला सिविल सूट मे पारित आदेश दिनाक 18 11 1999 तथा भिवानी बोर्ड द्वारा जारी दिनाक 10 06 2004 को मैट्रिक सर्टिफिकेट जिसमे जनम तिथि 18 07 1960 अकित थी और निदेशालय के आई0टी0 सैल के डाटाबेस अनुसार प्राचार्या की जन्म तिथि 20 08 1960 अकित थी के आधार पर प्राचार्या को निदेशालय के आदेश क्रमाक 2/65 2015 एच0आर0जी0 1 (3) दिनाक 24 11 2015 के अनुसार 55 से 58 वर्ष की सेवावृद्धि प्रदान की गई थी।

तदोपरान्त प्राचार्या ने सेवापजी मे जन्म तिथि ठीक करवाने हेतु जिला शिक्षा अधिकारी हिसार के माध्यम से अपना प्रतिवेदन भिजवाया जिसके साथ सिविल सूट न० 1252/1990 की प्रति व जन्म सशोधन प्रमाण पत्र की प्रति प्राप्त हुई थी। सिविल सूट न० 1252/1990 मे माननीय न्यायालय द्वारा दिनांक 18 11 1999 को निम्नलिखित आदेश पारित किए गए थे।

*in view of the foregoing discussion made above the review petition succeeds and same is hereby decreed with no order as to costs Plaintiff is entitled to correct her date of birth in the record of defendant showing the date of birth of plaintiff as 18 7 60 instead of 20 8 58 Defendant is directed to correct the date of birth of the petitioner after due compliance of this judgment Decree sheet be prepared accordingly and file be consigned to records*

कोर्ट का निर्णय दिनांक 18 11 1999 मे आया और प्राचार्या द्वारा कोर्ट के निर्णय दिनांक 18 11 1999 से पूर्व वर्ष 1994 और निर्णय के 6 वर्ष पश्चात वर्ष 2004 मे जन्म तिथि ठीक करने हेतु अप्लाई किया था। सेवापजी के आधार पर प्राचार्या की नियमित नियुक्ति 06 04 1990 को सामाजिक अध्ययन अध्यापिका के पद पर हुई थी और प्राचार्या द्वारा सिविल सूट 1990 मे दायर की गई थी।

उक्त आदेशो के आधार पर भिवानी बोर्ड द्वारा सशोधित जन्म प्रमाण पत्र वर्ष 2004 मे जारी किया और अब पुन बोर्ड द्वारा दिनांक 11 07 2016 को सशोधित जन्म प्रमाण पत्र जारी किया गया है। नियमो अनुसार सेवा ज्वाइन करने के दो साल के अन्दर 2 जन्म सशोधन अप्लाई करना होता है। सशोधन न होने पर प्राचार्य द्वारा पुन सिविल सूट न० 252 C/2010 दायर किया गया जिसमे माननीय न्यायालय द्वारा दिनांक 05 11 2012 को निम्नलिखित आदेश पारित किए

*That plaintiff is entitled to get her service record corrected regarding her date of birth as 18 07 1960 instead of 20 08 1958 and defendants are directed to make the entry of her correct date of birth i.e 18 07 1960 instead of 0 08 1958 in her service record*

उपरोक्त आदेशो के विरुद्ध सिविल अपील न० 160/2012 दायर की गई जिसमे माननीय न्यायालय द्वारा दिनांक 16 05 2013 को निम्नलिखित आदेश पारित किए

*As a result of aforesaid discussion the appeal in hand is accepted with cost and suit is dismissed with costs Decree sheet be prepared accordingly*

जिला शिक्षा अधिकारी हिसार द्वारा प्राचार्या का जब 55 से 58 वर्ष का सेवावृद्धि मामला भेजा गया था तो उन द्वारा केवल सिविल सूट मे पारित आदेश दिनांक 11 05 1999 की प्रति उपलब्ध करवाई गई थी। लीगल सैल द्वारा मामले के सम्बन्ध मे निम्नानुसार मन्त्रणा दी गई थी।

*Since order of the Hon'ble Lower Court dated 18 11 1999 whereby the HSE Board Bhiwani was directed to issue the plaintiff a modified certificate has already been set aside & reversed by the appellate Court vide order dated 16 05 2013 (i) thus question to amend the service record of the petitioner as per new certificate issued by the Board does not arise thus her claim above is liable to be rejected discretion can not be exercised against the order of Court*

(ii) On the basis of new certificate extension order issued in favour of the plaintiff is also liable to be withdrawn after following the principle of natural justice

लीगल सैल की मन्त्रणा व PFR के नियम 7 3 के अन्तर्गत जन्म सशोधन हेतु 2 साल के अन्दर अन्दर अप्लाई करना होता है परन्तु उक्त केस मे प्राचार्य ने जन्म सशोधन हेतु निदेशालय मे निर्धारित अवधि मे कोई प्रतिवेदन नही दिया है तथा सेशन कोर्ट द्वारा मामला रिवर्स करने के कारण सरकार अपनी discretionary power इस्तेमाल नहीं कर सकती। अत प्राचार्या की सेवापजी मे जन्मतिथि मे सशोधन न करते हुए माननीय शिक्षा मन्त्री महोदय से अनुमोदन उपरान्त निदेशालय के पत्र क्रमांक 21/59 2016 एच0आर0जी 1(3) दिनांक 19 08 2016 के अनुसार प्राचार्या का सेवावृद्धि मामला अस्वीकार कर दिया गया।

उप निदेशक एच0आर0जी0 1  
कृते निदेशक सैकण्डरी शिक्षा  
हरियाणा पचकूला।

Committee considered the departments reply in its meeting held on 2 2 2017 and committee felt satisfied with the reply Therefore the Petition is disposed off accordingly

15 PETITION RECEIVED FROM SH PUNEET CHAUDHARY ADVOCATE CHAMBER NO 202 DISTT COURT KAITHAL REGARDING CORRUPTION IN MUNICIPAL COUNCIL KAITHAL AND SCHEME OF CLEANINESS OF CITY

The Petition received from Sh Puneet Chaudhary Advocate reads as under

सेवा मे

चेयरमैन  
पिटीशन कमेटी  
हरियाणा विधान सभा  
चण्डीगढ़।

विषय नगर परिषद कैथल द्वारा भ्रष्टाचार करने व शहर को क्लीन करने की योजना "घर घर से कुड़ा उठाने पर अमल न करने बारे"

श्रीमान जी

1 यह कि प्रार्थी वर्ष 2011 मे एक वार्ड को टारगेट कर कैथल शहर मे क्लीन ग्रीन कैथल अभियान शुरु किया था। जिसमे सफल होने पर शहर के सभी पार्श्वदो को बुलाकर दिखाया। जिसे शहर के सभी पार्श्वदो ने सराहा और अपने 2 वार्ड मे इसी तरह वार्ड क्लीन बनाने का आश्वासन दिया। परन्तु किसी पार्श्वद ने जहमत नहीं उठाई।

2 यह कि अब प्रार्थी ने हर वार्ड मे एक सामाजिक कार्यकर्ता नियुक्त कर अभियान आगे बढ़ाया और कैथल कोर्ट मे केस डाला। जिस पर कोर्ट ने प्रार्थी के हक मे 24 04 2015 को फैसला दिया और नगर परिषद को हर वार्ड मे डस्टरबीन रखने नियमित कचरा उठाने और सोलिड वेस्ट मैनेजमेंट प्लाट बनाकर निपटारे के आदेश दिये।

3 यह कि अब कोर्ट आदेश की पालना में सभी पार्श्वदो ने सहमति से डोर दू डोर कचरा लेने का ई टेडर पूर्ण प्रक्रिया कर मजूरी हेतु उपायुक्त कैथल को जून 2015 में भेजा जिसे उपायुक्त ने उस पर कोई कार्यवाही न करके उसे रोक कर बैठ गये। उपायुक्त से काफी बार मिले नहीं माने तब सी एम कमीशनर मुख्यसचिव को लिखा जाच आई तब भी स्थिति जब तस रही तब मिडिया में देने पर उपायुक्त का तबादला हुआ।

4 यह कि दूसरे उपायुक्त ने भी फाईल नहीं सरकाई तब तीसरे उपायुक्त रवि प्रकाश जी ने यह टेडर किया है। 1 मई 2016 से ठेकेदार को कचरा उठाना था परन्तु ठेकेदार ने आज तक घर 2 से कचरा उठाना शुरू नहीं किया और मई माह के कई लाख रुपये का खर्च का दावा कमेटी में दिया। अधिकारी भी इस घोटाले में ठेकेदार के साथ मिलकर नगरपरिषद को लुटाकर अपनी जेबें भर रहे हैं और शहर को गन्दगी में रहनेको मजबूर किया हुआ है।

5 यह कि आपसे प्रार्थना है कि 2014 में श्री नरेन्द्र मोदी व श्री मनोहर लाल सी एम हरियाणा भी 'स्वच्छ भारत' का सपना सजोह हुए हैं सो अब आप नगर परिषद व ठेकेदार को समन कर पारदर्शिता जवाबदेही व्यवस्था सुनिश्चित करवाएँ और गैरकानूनी भुगतान को रोका जाएँ और घर घर दुकान रोड से कुड़ा उठाने के टेडर पर अमल करवा कैथल शहर को क्लीन बनाया जाए।

दिनांक 10 06 2016

प्रार्थी पुनीत चौधरी वकील

चैम्बर न0 202 जिला अदालत कैथल

puneet 119697 @ gmail com

9466454904

संयोजक क्लीन ग्रीन अभियान कैथल

The Petition was placed before the Committee in its meeting held on 16 7 2016 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 Executive Officer Municipal Council Kaithal vide their letter No 2282 dated 11 08 2016 which reads as under

प्रेषक

कार्यकारी अधिकारी  
नगर परिषद कैथल।

सेवा में

प्रधान सचिव  
हरियाणा विधान सभा सचिवालय  
चण्डीगढ़।

क्रमांक 2282

दिनांक 11 8 2016

विषय Regarding corruption and other grievances of petitioners



कृपया सम्बन्धित Petition No HVS/Petition/495/16 17/17445 dt 4th August 2016 की ओर ध्यान देने की कृपा करें।

विषयाधीन मामले में श्री पुनित चौधरी चैम्बर न0 202 जिला कैथल मोबाईल न0 94664 54904 सयोजक कलीन ग्रीन कैथल के द्वारा जो पिटीशन का हवाला दिया है के सम्बन्ध में निम्न बिन्दुवार टिप्पणी निम्न प्रकार से है

1 यह कि बिन्दु न0 1 में जो जो पार्श्वदो के सम्बन्ध में बात की गई है वह पार्श्वदो से सम्बन्धित है। सभी पार्श्वद वैधानिक रूप से चुने हुए पार्श्वद है। सफाई के सम्बन्ध में सभा पार्श्वद एकजुट से जिसका प्रमाण यह है कि सभी पार्श्वदो द्वारा एकमत से घर से घर तक कूड़ा एकत्रित करने का प्रस्ताव पारित किया गया है जो साथ सलग्न है।

जिससे यह प्रतिष्ठित होता है कि बिन्दु न0 1 में जो लिखा गया है वह उचित है। क्योंकि सभी पार्श्वद अपनी जिम्मेवारी से कार्य कर रहे हैं।

2 यह बिन्दु रिकार्ड से सम्बन्धित है। निदेशालय के आदेशों की पालना में नगर परिषद कैथल ने प्रत्येक वार्ड में डस्टबिन रखे हुए हैं। पहले भी वार्ड अनुसार सूची बनाकर प्रार्थी को दी हुई है। जिसकी प्रति साथ सलग्न है। नियमित कचरा उठाने के लिए आउट सार्सिंग पॉलिसी के अन्तर्गत ठेका दिया हुआ है तथा नियमित कचरा उठाया जा रहा है। सोलिड वेस्ट मैनेजमेंट प्लाट के लिए नगर परिषद कैथल द्वारा जगह निर्धारित की गई है जो कि खुराना रोड़ पर है। यह भूमि 5 एकड़ है जिसकी 4 दीवारी की हुई है और नगर परिषद का सारा कूड़ा इसी जगह एकत्रित किया जाता है। प्लाट लगाने के लिए निदेशालय के स्तर पर कार्यवाही चली हुई है।

3 बिन्दु न0 3 उचित नहीं है। क्योंकि नगर परिषद कैथल द्वारा ई निवदाए के माध्यम से घर से घर कूड़ा एकत्रित करने के लिए निवासियों से माग प्राप्त हुई थी। जिसकी मन्जूरी उपायुक्त महोदय कैथल के पत्र क्रमांक 2194/LFA दिनांक 29 09 2015 द्वारा दी गई है जिसकी प्रति साथ सलग्न है। तदनुसार नियमानुसार कार्यवाही करके घर से घर तक कूड़ा एकत्रित करने के कार्य किया गया जिसके माध्यम से कार्यवाही की जा रही है। जो नियमित रूप से कार्य कर रही है।

4 बिन्दु न0 4 भी उचित ना है। क्योंकि घर से घर तक कूड़ा एकत्रित करने का कार्य बिन्दु न0 3 में वर्णित किया गया है कि उपायुक्त महोदय की स्वीकृति उपरान्त ही यह कार्य दिया गया है। कार्य की गुणवत्ता की जाच सम्बन्धित वार्ड के पार्श्वदो व निवासियों से करवाई जाती है। तदनुसार नियमित कार्यवाही की जाती है। अत प्रार्थी द्वारा यह आरोप ठीक ना है।

5 नगर परिषद कैथल द्वारा इस कार्य में पूर्ण रूप से सतकर्ता बरती गई है। क्योंकि सारा कार्य ई निवदाओ के माध्यम से उपायुक्त महोदय की मन्जूरी व उपायुक्त महोदय के प्रतिनिधि की मन्जूरी में ई निविदाओ को खोला गया है और विडियोग्राफी करवाई गई है व कार्य की गुणवत्ता की जाच निवासियों व पार्श्वदो के माध्यम से करवाई जा रही है। अत आरोप निराधार व उचित ना है।

नगर परिषद द्वारा सारी कार्यवाही सरकार के दिशा निर्देशों व उनके मार्ग दर्शन के अनुसार ही की जा रही है। अत आपसे प्रार्थना है कि शिकायत को दफतर दाखिल करने का कष्ट करें।

कार्यकारी अधिकारी  
नगर परिषद कैथल।

## शहर में रखे गए डस्टबीन की सूची

क्रम सं०	जगह का नाम	संख्या
1	जवाहर पार्क के गेट पर	2
2	आई जी कॉलेज के पास	2
3	ढाण्ड रोड सतिया के पास	2
4	ऋषि नगर जाट स्कूल के पीछे	
5	अमरगढ गामडी स्कूल न० 4	1
6	सिविल हस्पताल	3
7	बस अड्डा कैथल	1
8	उपायुक्त निवास	1
9	पशु हस्पताल	1
10	जज कॉलोनी	1
11	जखौली अड्डा (प्रधान जी के घर के पीछे)	1
12	बलराज नगर	1
13	रेलवे स्टेशन	1
14	चन्दाणा गेट चौक	1
15	प्रताप गेट (गुलाटी होटल)	1
16	सीवन गेट	1
17	समाज कल्याण विभाग की गली में	1
कुल		22

## शहर में रखे गए डस्टबीन की सूची

क्रम सं०	जगह का नाम	संख्या
1	अम्बाला रोड	6
2	ढाण्ड रोड	2
3	करनाल रोड	2
4	ऋषि नगर नेहरू गार्डन	5
5	19 सेक्टर	16

6	अमरगढ गामडी	4
7	बस स्टैंड	1
8	पुलिस लाईन	1
9	सुभाष नगर	1
10	बालाजी कालोनी	2
11	देवीगढ रोड	4

Committee considered the department reply in its meeting held on 22 2017 and committee felt satisfied with the reply Therefore the Petition is disposed off accordingly

16 PETITION RECEIVED FROM SH PURSHOTAM DASS MITTAL NEAR GOSHALA MARKET BHIWANI REGARDING NO ACTION TAKEN ON THE COMPLAINT OF PETITIONER

The Petition received from Sh Purshotam Dass Mittal reads as under

चेयरमैन

पैटीशन कमेटी

हरियाणा

ता० 29 3 2016

विषय सरकारी नौकरी लगाने के नाम पर 30 लाख की ठगी मामले मे SP साहब भिवानी व CM विडो पर दी गई शिकायत पर पुलिस द्वारा कोई भी कार्यवाही ना किए जाने बारे।

श्री मान जी

(1) उपरोक्त शिकायत मैने 12 3 15 को सबसे पहले SP साहब भिवानी को दी थी। मैने CD सहित सभी सबूत पुलिस को दिए। इस CD को दोषी विरेन्द्र सिंह व राजेश गोयल ने कबूल किया कि यह CD उन्ही की है लेकिन पुलिस ने मीलीमगति के कारण कोई भी कार्यवाही ना की।

(2) 8 9 15 को मैने शिकायत क्रमाक CM OFF/N/2015/96197 सी एम विज पर दी। पुलिस ने मुझे कोई सूचना ना दी और आपसे पास (CM साहब) को रिपोर्ट बनाकर भेज दी कि मामला सिविल नेचर का है। दोषियों पर कोई कार्यवाही ना की।

(3) पुन 23 10 15 को शिकायत क्रमाक CM OFF/N/2015/107095 पर पुलिस ने CM साहब को रिपोर्ट प्रेषित की कि मामले मे दोषियों द्वारा ऐसे लिए गए है मामला न्यायालय मे विचाराधीन है। सर इस शिकायत के सदर्थ मे कोई भी मामला न्यायालय मे विचाराधीन ना है।

(4) 15 2 16 को पुन SP साहब भिवानी ने DSP को मामले की जाच के आदेश दिए। DSP ने अपनी रिपोर्ट मे लिखा है कि दोषी राकेश गोयल को बार 2 पुलिस द्वारा बुलाया गया लेकिन वह नहीं आया। फाईल बद की जाती है।

श्री मान जी इस ठग गिरोह के सरगना राकेश गोयल के विभिन्न VIPS से सम्बन्ध है। इसीलिए भिवानी पुलिस जान बुझकर दोषियों पर कोई भी कार्यवाही ना कर रही है। हमे परेशान किया

हुआ है। आपसे निवेदन है कि दोषियों पर तुरन्त FIR दर्ज करके गिरफ्तार किया जाने व हमारे पैसे वापिस डिलवाए जाए। आपकी अति कृपा होगी।

सधन्यवाद।

प्रार्थी

Endset शिकायत प्रतिलिपि to S P /CM Windoes

The Petition was placed before the Committee in its meeting held on 17 05 2016 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 even reminder was sent on 29 06 2016 Thereafter Committee orally examined the Superintendent of Police Bhiwani in its meeting held on 19 07 2016 after detailed discussion with the S P Bhiwani Committee directed Superintendent of Police Bhiwani to enquire the complete matter and submit their enquiry report before the Committee within 15 days Thereafter Superintendent of Police Bhiwani submit their enquiry report vide their letter dated 3399 P dated 10 08 2016 which reads as under

प्रेषक

पुलिस अधीक्षक भिवानी।

सेवा मे

प्रिंसीपल सफ्रेटरी  
हरियाणा विधान सभा सचिवालय  
सेक्टर 1 चण्डीगढ।

क्रमांक 3399 P

दिनांक 10 8 16

विषय परिवार पुरुषोत्तम दास मितल नजदीक गउशाला मार्किट भिवानी।

यादी

कृप्या आपके कार्यालय के पत्र क्रमांक एच वी एस/पैटिशन/483/16 17/9348 दिनांक 23 5 2016 के सन्दर्भ मे।

2 विषयाधीन उपरोक्त परिवार के सन्दर्भ मे दोनो पक्षो को शामिल जाच करके कथन अकित किए गए तथा इस सम्बन्ध मे परीवार न0 1 पी ई दिनांक 4 1 2016 113 पी एफ दिनांक 9 2 2016 की जाच प्रबन्धक थाना शहर भिवानी द्वारा परीवार न0 641 पी ई की जाच प्रबन्धक थाना सदर भिवानी द्वारा व परीवार न0 55 पी0जी0 दिनांक 25 2 2016 की जाच उप पुलिस अधीक्षक भिवानी द्वारा अमल मे लाई गई। जो उपरोक्त सभी की जाच से मामला आपस मे पेसो के लेन देन का पाया गया। जो परीवादी पुरुषोत्तम ने उत्तरवादी राकेश गोयल पर उसके भान्जे रोहित को तहसीलदार लगवाने के लिए 30 लाख रुपये देने बारे जिसमे 20 लाख रुपये परीवादी व उसकी पत्नि द्वारा दिनांक 14 10 12 को राकेश गोयल को उसके स्कूल मे देने तथा 10 लाख रुपये व शिक्षा से सम्बन्धित कागजात दिनांक 28 1 2013 को पी0एन0जी0 इन्टर नैशनल स्कूल हासी गेट बसिया भवन के सामने हुड्डा पार्क रोड पर देने बारे लगाए है। तथा राकेश गोयल मिठाई का डिब्बा लेकर आने व मनिस्ट्री ऑफ रेलवे का सदस्य होने बारे काउर दिखलाकर किसी प्रकार का कोई काम करने के आरोप लगाए।

जो इन आरोप लगाने बारे पुरुषोत्तम दास से प्रश्नोत्तर किए गए जो पुरुषोत्तम दास ने कभी भी अपने भान्जे को तहसीलदार लगवाने बारे किसी प्रकार का कोई आवेदन नहीं करना व कभी भी पुरे प्रकरण के दौरान किसी प्रकार का कोई रोल न0 तहसीलदार की लिखित व साक्षत्कार परीक्षा के लिए प्राप्त होने बारे इन्कार किया। पुरुषोत्तम दास द्वारा अपने भान्जे रोहित को तहसीलदार लगवाने बारे 30 लाख रुपये राकेश गोयल को देने बयान हुए है। परन्तु पुरुषोत्तम दास द्वारा राकेश गोयल को दिए गए 30 लाख रुपये देने बारे कोई साक्ष्य ना होने बारे बतलाया। पुरुषोत्तम दास द्वारा विरेन्द्र के गुम हुए 30 लाख रुपये का चैक उसकी पत्नि के पास कैसे पहुंचने बारे पुछने पर बतलाने से इकार कर दिया व इस बारे कोर्ट में ही बतलाने कारे कहा। पुरुषोत्तम दास द्वारा दो मोबाईल रिकार्डिंग व उसके टैक्सट की प्रति प्रस्तुत की जो दोनों ही रिकार्डिंग में बातचीत विरेन्द्र से होनी पाई गई व विरेन्द्र द्वारा किसी भी सवाद में तहसीलदार बारे पैसे लेने हेतु कोई बातचीत सामने नहीं आई है। पुरुषोत्तम दास द्वारा भी पैसे राकेश गोयल को देने बयान किए है जबकि रिकार्डिंग विरेन्द्र की पेश की गई है।

परिवाद के सम्बन्ध में उत्तरवादी राकेश गोयल विरेन्द्र व सत्यनारायण के बयान अंकित किए गए व प्रश्नोत्तर किए गए जो उत्तरवादीगण ने पुरुषोत्तम पर निम्न आरोप लगाए है।

राकेश गोयल व विरेन्द्र द्वारा पुरुषोत्तम पर आरोप लगाया कि पुरुषोत्तम पी0एन0जी0 ईन्टर नेशनल स्कूल में अपनी गाडी पर लाल बत्ती लगा कर आता था और दबाव बना कर हमारे स्कूल में चल रहे निर्माणधीन कार्य के लिए रेत बजरी अपने रिश्तेदार से लेने के लिए बोलता था। इसके ईलावा पुरुषोत्तम ने हमे हमारे स्कूल को होटल मैनेजमेंट की मान्यता दिलवाने बारे झासा दिया व इसके लिए एक करोड रुपये मागे परन्तु बातचीत 70 लाख रुपये में तय होने पर 40 लाख रुपये पुरुषोत्तम दास को देने ब्यान हुए है और 30 लाख रुपये होटल मैनेजमेंट की मान्यता मिलने के बाद देने बारे तय हुआ।

राकेश गोयल द्वारा पुरुषोत्तम दास मितल पर अदालत भिवानी में मान हानि का केस दायर किया हुआ है जो विचाराधीन न्यायालय है।

दौराने जाच व ब्यानातसे उत्तरवादी विरेन्द्र पुत्र नारायण सिंह कौम जाट वासी राडदाना रोड सोनीपत व राकेश गोयल का गाव दिनोद में पी0एन0जी0 ईन्टर नेशनल स्कूल में वर्ष 2013 में काम चल रहा था। पुरुषोत्तम दास मितल व राकेश गोयल का आपस में पैसे का कोई लेन देन न होगा केवल निर्माणधीन पी0एन0जी0 ईन्टर नेशनल स्कूल में काम चलने के समय रेंती रोडी क्रेशर के पैसे का लेन देन ब्यान हुआ है। परीवादी पुरुषोत्तम का राकेश गोयल व विरेन्द्र के पास आना जाना था। जो होटल मैनेजमेंट की मान्यता के लिये पुरुषोत्तम से 70 लाख रुपये में बातचीत होने पर 40 लाख रुपये उसे देने वा लाख रुपये देने बारे कोई सबूत लिखित सबूत होना नहीं पाया गया। जो विरेन्द्र सिंह द्वारा बाबत चैक गुम होने की रिपोर्ट ई दिशा केन्द्र भिवानी में दिनांक 19 2 2014 को दर्ज करवाई गई। और चैक गुम होने की रिपोर्ट दर्ज कराने के बाद आई0 डी0बी0आई0 बैंक सोनीपत से चैक लगा रखा है। जिस पर विरेन्द्र सिंह द्वारा चैक भुगताने के लिए मना करने पर मन्जु मितल द्वारा दिनांक 20 5 2014 को सी0जे0एम0 भिवानी की अदालत में 138 एन0आई0 का केस किया हुआ है।

पुरुषोत्तम दास मितल द्वारा अपने भान्जे रोहित को तहसीलदार लगवाने बारे ना ही तो कोई आवेदन किया था और ना ही किसी प्रकार का रोल न0 व लिखित साक्षात्कार व लिखित परीक्षा के लिए कोई एडमिट कार्ड आया हुआ था और ना ही पैसे देने बारे कोई लिखित सबूत पाया गया। पुरुषोत्तम दास मितल द्वारा अपनी गाडी पर लाल बत्ती लगाए जाने पर रोहतक पुलिस द्वारा चैक किए जाने पर पुरुषोत्तम



द्वारा किसी प्रकार का कोई कागजात तथा स्वीकृति व सरकारी पत्र पेश नहीं किए जाने पर चालान किया जाना कबुल किया है। दोनों पक्षों द्वारा एक दुसरे पर पैसों के लेन देन का आरोप लगाया गया है परन्तु दोनों किसी प्रकार का कोई साक्ष्य पेश नहीं कर पाए। अतः मामला आपस में पैसों के लेन देन का पाया गया है। रिपोर्ट सेवा में प्रेषित है।

पुलिस अधीक्षक भिवानी।

दिनांक 5 8 2016

Committee considered the Report of the Superintendent of Police in its meeting held on 2 2 17 and committee felt satisfied with the report and observed that petition may be filed  
Petition is disposed off accordingly

17 PETITION RECEIVED FROM SH ANIL ATTARI H NO 6 GALI NO 5 BLOCK D  
SHITLA COLONY GURGAON REGARDING COMPLAINT AGAINST A N BUILWELL  
PVT LTD

The Petition received from Sh Anil Attari reads as under

To

Chairman  
Petition Committee  
Haryana Vidhan Sabha  
Chandigarh

Sub

श्रीमान जी

मैंने एक फ्लैट M/s A N Bul well Pvt Limited के Project Spine neoods Sector 103 Gurgaon में book कराया था Aggrement के अनुसार developmon of तीन साल में Flali hand over करना था परन्तु अभी तक Bilder ने 40 % काम भी नहीं किया है। मैंने यह Plote in इनके FDI Hunderd Project के advenlisenal तथा State Bank of India and ICICI Bank के द्वारा apporoved होने के बाद खरीदा था। मैंने इनकी किस्त as pen demand on line पर दिया है। इस समय पर Project का काम 1½ Year से रुका हुआ ही और Project के अन्दर पाच छ feet पानी भरा हुआ है। मैं 30 Project owner के office तथा Directer से कई बार मिला था। उनसे Project के development के बारे में पूछा था। परन्तु वहां कोई सन्तोषजनक जबाब नहीं दे पाये। उसके बाद मुझे तथा मेरे परिवार को धमकी भी देते हैं। तथा मुझे जान का खतरा भी है। अतः श्री मान जी से सअनुरोध प्रार्थना है कि मेरे पैसों बिल्डर से ब्याज सहित वापिस कराये जाये। मैंने बिल्डर को अब तक Appointnt Rs 41 3 Lak पैसों दे दिए हैं जो मेरी पुरी जिन्दगी कि कमाई है। इससे पर मैंने ICICI Bank से Lone ले रखा है जिसका मैं ब्याज भी दे रहा हू। Project के owner है।

1 Surendra Kumar Hooda

2 Sunil Gandhi

- 3 Shashi Bhushan Prasad  
 4 Harish Chander Malotra  
 5 Arun Kotwal Director Mob No 9873047771  
 Project Spine woods Section 103 Gurgaon (Haryana)

प्रार्थी  
 अनिल कुमार अत्री  
 मकान न० ६ गली न० ५  
 ब्लॉक D & शीतला कालोनी  
 गुडगावा (HR)

The Petition was placed before the Committee in its meeting held on 22.12.2015 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 orally examined the Senior Town Planner Town & Country Planning Department Gurgaon DTP Gurgaon representatives of M/s AN Buildwell Private Limited New Delhi and Petitioner in its meeting held on 28.01.2016 in which M/s AN Buildwell Pvt Ltd submitted a reply stated that this matter is pending in the Court the reply of M/s AN Buildwell Pvt Ltd read as under

TO

PRINCIPAL SECRETARY  
 HARYANA VIDHAN SABHA SECRETARIAT  
 CHANDIGARH

Subject Meeting of the Committee on Petitions dated 02.08.2016 held in Committee Room in respect of Petition Of Sh Anil Attari H No 6 Gali No 5 Block D Shitla Colony Gurgaon regarding complaint against AN Buildwell Pvt Ltd

Sir

The undersigned is in receipt of your e mail dated 01.08.2016 received at 14.25 hours and came to know about the above mentioned notice regarding the meeting of the esteemed Committee On Petitions

The undersigned is a shareholder and is not the Managing Director of AN Buildwell Pvt Ltd Nor the undersigned was incharge of the day to day affairs of the Company There was only one person who acted as the Managing Director of the Company Mr Ashish Bhalla with effect from the year 2007 to 2013

That the Hon ble High Court of Delhi vide Order dated 08 03 2016 in Company Petition No 704/2014 title as Shri Amarpreet Singh Oberoi & Others Vs A N Buildwell Private Limited appointed Provisional Liquidator for the Company Pursuant to the Order of Hon ble High court all the offices premises buildings including SPIRE-EDGE AND SPIREWOODS projects and the registered and corporate offices in Delhi Manesar and Gurgaon have been sealed and are in the control of the Provisional Liquidator The said matter Le Company Petition No 704/2014 is pending adjudication before the Hon ble Court Of Justice Sudarshan Kumar Misra Delhi High Court and next date of hearing is 26<sup>th</sup> October 2016

The Indian Promoters / Shareholders of the Company have worked very hard to work out a Scheme in the interest of the investor/buyers and the Company for compromise and arrangement to revive the Company and complete its Projects in the stipulated time frame The said Scheme for revival is pending adjudication before the Hon ble High Court of Delhi

The Hon ble High Court of Delhi vide Order dated FL07 2016 has ordered that pumping out of water from basements be done with immediate effect That since the Provisional Liquidator is in control of all company matters and since the registered and corporate offices in Delhi at Bhikaji Cama Place and Manesar have been sealed only he is authorized to appear on behalf of the company and none else

It is therefore kindly requested that all/any matter related to AN Buildwell Pvt Ltd be referred and addressed to the Provisional Liquidator For convenience the address of the Provisional Liquidator is as mentioned hereinunder

Office of Official Liquidator

Attached to High Court of Delhi

8<sup>th</sup> Floor Loknayak Bhawari

Khan Market New Delhi 110003

Please revert in case of any clarification in this regard

Warm regards

S K Hooda

Committee considered the builder's reply in its meeting held on 22 17 and as per the company reply the matter is pending in the Court Therefore Committee is of the view that matter is subjudice and Committee can't interfere in the subjudice matter Petition is disposed off accordingly

18 PETITION RECEIVED FROM SH SUBHASH CHANDER JAIN RETIRED ACCOUNTS OFFICER CONFED R/O H NO 1003 SECTOR 7 URBAN ESTATE KARNAL REGARDING RETIREMENT DUES

The Petition received from Sh Subhash Chander Jain reads as under





सेवा मे

चेयर परसन महोदय  
याचिका समिति हरियाणा विधान सभा  
चण्डीगढ।

विषय बाबत प्रार्थी को रिटायरमेन्ट भुगतान देने बारे।

श्रीमान जी

सविनय निवेदन है कि कानफेड हरियाणा से बतोर लेखा अधिकारी के पद से दिनांक 30 अप्रैल 200 को सेवा निवृत्त हुआ हूँ। हमारे विभाग में पेन्शन का प्रावधान नहीं है। आज मुझे लगभग 7 साल होने वाले हैं और अभी तक अपने रिटायरमेंट के भुगतान के लिये दर दर की ठोकरें खा रहा हूँ। मेरे केस की सक्षिप्त में पारावार्जिव विवरण तथ्यों व सम्बन्धित दस्तावेज सहित साथ सलग्न है।

अतः समिति से प्रार्थना है कि मेरी इस याचिका पर विचार करते हुए मुझे न्याय दिलाने की कृपा करे व मुझे मेरा बकाया भुगतान ब्याज सहित विभाग से दिलवाने का कष्ट करे। व जिम्मेवार अधिकारी व कर्मचारियों के खिलाफ उचित कारवाई का निर्देश विभाग के सम्बन्धित अधिकारियों को दिया जावे ताकि भविष्य में अन्य किसी कर्मचारी के साथ ऐसा दुर्व्यवहार न हो।

मुझे विभाग द्वारा मानसिक व शारीरिक उत्पीडित किया गया जिसकी वजह से मैं और मेरी पत्नी दोनों गम्भीर बिमारी से पीडित हो गये हैं। हमें ब्याज पर पैसे लेकर अपना इलाज करवाता जा रहा है। अतः समिति से पुनः निवेदन है कि मुझे वाजिब कम्पेन्सेशन दिलवाने का भी कष्ट करे। आपकी अति कृपा होगी।

दिनांक 12 2016

प्रार्थी

सुभाष चन्द्र जैन  
रिटायर्ड लेखा अधिकारी  
कानफेड हरियाणा पंचकुला  
मकान नं० 1003 सेक्टर  
अरबन स्टेट करनाल।

#### सक्षिप्त विवरण तालिका

- 1 प्रार्थी कानफेड में दिनांक 3 जुलाई 1975 से लेखाकार पद पर कार्यरत हुआ। सन 1975 से 2009 अपनी सेवानिवृत्ति तक कार्य व आचरण स्वच्छ व अच्छा रहा।
- 2 विभाग ने प्रार्थी को 1985 में सहायक लेखा अधिकारी व 2006 में 6 लेखा अधिकारी पद पर अच्छी कार्यकुशलता को देखते हुए पदोन्नत किया।
- 3 विभाग ने प्रार्थी को 30 अप्रैल 2009 को सेवानिवृत्त किया। उस समय प्रार्थी के विरुद्ध कोई विभाग कार्यवाही लम्बित नहीं थी। कापी फ पर
- 4 सेवानिवृत्त पर प्रार्थी को कोई भी भुगतान नहीं दिया। प्रार्थी ने विभाग को 28 अगस्त 2009 व 16 सितम्बर 2009 को अपने रिटायरल भुगतान बारे विनती कि पर भुगतान नहीं दिये गये।

5 विभाग को प्रार्थी ने 14 नवम्बर 2009 को वकील के मार्फत भुगतान देने बारे विनती के कापी तालिका (क) पर सलग्न है। पर भुगतान नहीं किया। विभाग ने जवाब में दिनांक 4 जनवरी 2010 बतलाया कि प्रार्थी के खिलाफ कुछ मामला लम्बित होने की वजह से भुगतान रोका गया है। जबकि मेरी फाइल पर रिटारमेट के समय कुछ भी खिलाफ नहीं या (कापी फ पर सलग्न है)

6 विभाग ने प्रार्थी को रिटायरमेन्ट के 11 महीने के बाद दिनांक 16 अप्रैल 2010 को आरोप पत्र दिया जोकि बिल्कुल निराधार था। मैं जवाब देने पर उस इन्कवारी आफिसर नियुक्त कर दिया।

7 प्रार्थी ने हाईकोर्ट हरियाणा व पंजाब में इस आरोप पत्र के खिलाफ याचिका नं० CWP 15247 of 2011 वर्ष 2011 में आयर कर दी 22 मई 2013 को माननीय हाईकोर्ट ने आरोप पत्र को विभाग के स्टॉफ सर्विस रूल के अनुसार गलत बतलाया व विभाग को मेरे रिटायरल भुगतान 1 महीने के अन्दर देने के निर्देश दिये। कापी तालिका (ख) पर सलग्न है।

8 विभाग ने 6 जून 2013 को उपरोक्त हाईकोर्ट के आदेशानुसार ग्रेच्युटी व लीव इनकेशमेन्ट देने पर आदेश दिया। अर्थात् 17 जून 2013 को बिना ब्याज उपरोक्त राशि का भुगतान कर दिया। जबकि एक्ट के तहत ग्रेच्युटी पर ब्याज बनता था। इसी प्रकार लीव इनकेशमेन्ट पर भी LIC की शर्तों अनुसार ब्याज नहीं दिया गया।

9 श्रम विभाग द्वारा 7 अक्टूबर 2014 Appellate Authority Come Labour Officer व लेबर आफिसर के आदेशानुसार ग्रेच्युटी पर ब्याज मुतलिक 146600 रु० विभाग द्वारा दिये गये। क्योंकि ग्रेच्युटी एक्ट के तहत ब्याज विभाग को देना बनता था।

10 माननीय हाईकोर्ट हरियाणा चण्डीगढ़ ने दिनांक 26 नवम्बर 2013 को केस नं० CWP 15473 of 2011 जो प्रार्थी द्वारा दायर किया था प्रार्थी के हक में फैसला सुनाया अर्थात् विभाग को मेरा भुगतान 7 प्रतिशत वार्षिक ब्याज के साथ देने का निर्देश दिया। इसमें प्रार्थी (Pay anomaly) जुनियर से कम सहायक लेखा अधिकारी दी जा रही लेकिन विभाग ने 3 माह पश्चात् 3 मार्च 2011 को आंशिक भुगतान किया। इसमें लीव इनकेश का बकाया भुगतान जो कोर्ट कि फसने के तन्खवाह बढ़ने पर बनता था नहीं दिया। की दिनांक 16 मई 2014 व 31 जुलाई 2014 की विनती करने पर दिनांक 28 नवम्बर 2014 को किया। यह विभाग की लापरवाही थी व हाईकोर्ट के आदेशों की अवमानना थी। लेकिन इसका देरी ब्याज भुगतान कोर्ट के आदेशानुसार आज तक नहीं दिया गया। हाईकोर्ट की कापी तालिका (ग) पर सलग्न है।

11 दिनांक 16 मई 2014 व पत्र दिनांक 31 जुलाई 2014 व 21 फरवरी 2015 विभाग को भुगतान देने बारे मार्फत वकील विनती की। इसका भुगतान विभाग द्वारा अभी तक नहीं किया कापी तालिका (घ) पर सलग्न है। सेवानिवृत्ति के लगभग 4 वर्ष बाद दिया तो उस राशि पर ब्याज बनता है आज तक नहीं दिया। यह ब्याज विभाग को जीवन बीमा निगम प्रति वर्ष विभाग को जमा फंड पर दे चुका है। यह ब्याज कि राशि प्रार्थी को देय बनती है। कापी तालिका पर सलग्न है।

इस प्रकार प्रार्थी को उत्पीडित किया गया जिस विभाग की पुरी जुम्मेवारी बनती है रिटायरमेन्ट के लगभग 7 वर्षों तक विभाग द्वारा पूर्ण भुगतान नहीं कि यहाँ यह बता देना उचित होगा कि मैंने सुचना का अधिकार अधिनियम के अन्तर्गत विभाग से मेरे Leave Encashment के ब्याज बाबत सुचना मांगी थी जिसकी प्रति साथ सलग्न है तथा जिसमें दर्शा गया है कि जीवन बीमा निगम ने तो विभाग को जमा फंड ब्याज सहित जो कि रिटायर्ड कर्मचारियों को देय होना होता है) भुगतान कर दिया। परन्तु विभाग ने अभी तक मुझे Leave Encashment पर ब्याज का भुगतान नहीं किया है।

उपरोक्त तथ्यों के मध्यनजर रखते हुए निष्कर्ष में मुझे निम्नलिखित भुगतान ब्याज सहित विभाग के द्वारा देय बनते हैं।

- 1 ग्रेजुटी पर ब्याज 1 मई 2009 से 16 जून 2013 (भुगतान तिथि) 10 प्रतिशत ब्याज सहित
- 2 लेखा अधिकारी 6वे वेतन आयोग अनुसार वर्ष 2006 से 2009 (रिटारमेंट तक) ब्याज सहित
- 3 6वे वेतन के भुगतान उपरान्त बकाया Leave Encashment ब्याज सहित
- 4 लीव सेलरी पर 1 मई 2009 से 16 जून 2013 (देय तिथि) ब्याज सहित
- 5 एल टी सी (1 महीने की) ब्याज सहित। अतः समिति से निवेदन है कि मेरे साथ हुए शारीरिक व मानसिक उत्प्रेषण को मध्य नजर रखते हुए उपरोक्त बकाया भुगतान ब्याज सहित दिलवाने का कष्ट करे तथा दोषी कर्मचारी व अधिकारी के खिलाफ कार्यवाही करते हुए मुझे वाजिव Compensation भी दिलवाने का कष्ट करे। आपकी अति कृपा होगी।

दिनांक 12/02/2016

प्रार्थी

सुभाष चन्द जैन

(रि० लेखा अधिकारी)

कानफेड हरियाणा पंचकुला

मकान न० 1003 सेक्टर 7 करनाल।

The Petition was placed before the Committee in its meeting held on 15/02/2016 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 Managing Director The Haryana State Federation of Consumers Co-operative Wholesale Stores Limited vide their letter No Estt/EA 1/15416 dated 12/05/2016 which reads as under

**The Haryana State Federation of Consumers**

**Co-operative Wholesale Stores Limited**

**Bays No 19/20 Sector 2 Panchkula**

Ref No Estt/EA I/

Dated 12/5/16

The Principal Secretary

Haryana Vidhan Sabha Secretariat

Sector 1 Chandigarh

Subject Regarding retirement dues of Shri Subhash Chander Jain Ex Accounts Officer Confed

Kindly refer to your letter No HVS/Petition/475/15/16/4375 dated 13/2/2016 on the subject cited above

Find enclosed herewith comments/reply of this office on the petition of Shri Subhash Chander Jain Ex Accounts Officer Confed for information and n/action please

Encl As above

Managing Director

Confed Haryana

**Comments/reply on the representation of Shri S C Jain, Ex Accounts Officer, Confed**

- 1 Shri S C Jain was appointed in Confed as Accountant and joined his duties on 3 7 75 He worked in Confed upto 30 4 2009 i e date of his retirement
- 2 He was promoted as Asstt Accounts Officer during the year 1985 and as Accounts Officer on 19 5 2006
- 3 He retired from the services of Confed on 30 4 2009 on attaining the superannuation age of retirement of 58 years
- 4 Being Sr Accounts Executive he alongwith the then General Manager (P) was deputed to Karnal to contact the miller M/s Hari Ram Paras Ram and to deliver the balance CMR On 12 7 2002 they got the PV conducted As per PV report 465 17 MT rice was lying in the Mill against the required Rice of 968 MT 114 MT CMR delivered and 351MT Rice was siphoned off by the miller Both of them remained at Karnal from 12 7 2002 to 14 7 2002 But they failed to suggest any action for safe custody of stocks in their visit note and take the spot decision to get the physically stock in custody which was found at the time of PV on 12 7 2002 or depute watch and ward staff Had they took action/suggest safety measures in the interest of Confed and remained vigilant the loss of Rs 34 77 Lacs could have been minimized Therefore his explanation was called vide letter No 10291 dated 18 9 2009 Reply thereof was received from him on 24 9 2009 which was found unsatisfactory by the competent authority He was charge sheeted vide letter No 1172 73 dated 16 4 2010 copy of charge sheet issued to him is enclosed at Annexure I After receipt of reply from him departmental enquiry was ordered and DFSC Karnal was appointed as Inquiry Officer on 30 7 2010 Till finalization of the said charge sheet his retiral dues were withheld
- 5 Shri S C Jain Ex A O through Shri Rakeshwar Jain Advocate served a legal notice on 14 11 2009 regarding his retiral dues The said notice was duly replied vide letter No 15555 57 dated 4 1 2010 (copy is enclosed at Annexure II)
- 6 Comments/reply already given in para No 4 above
- 7 Shri S C Jain Ex A O filed a CWP No 15247 of 2011 in the Hon ble High Court of Punjab and Haryana for quashing the charge sheet No 1172 73 dated 16 4 2010 The Hon ble High Court of Punjab and Haryana decided on 22 5 2013 as under

In view of my aforesaid discussion once no provision in the Rules has been cited in terms of which the proceedings against retired employee can be initiated in my opinion the action of the authorities in issuing charge sheets to the petitioners after their retirement is without jurisdiction and is liable to be set aside Ordered accordingly Withheld retiral benefits of the petitioners be released within one month

- 8 In compliance of order dated 22 5 2013 of the Hon ble High Court of Punjab and Haryana charge sheet served upon Shri S C Jain on 16 4 2010 was withdrawn and sanction was accorded to release his payment of gratuity and earned leave encashment amounting to Rs 350000+253380=603380/ vide order No 3080 83 dated 6 6 2013 (copy enclosed at Annexure III) Since there were no order of the Hon ble High Court of Punjab and Haryana to grant interest as such no interest on retrial dues was paid to him
  - 9 In compliance of order dated 7 10 2014 of the Controlling Authority under the payment of Gratuity Act 1972 Confed deposited Rs 169750/ and also file appeal before the Competent Authority at Panipat Labour Commissioner Panipat given the award on 11 3 2015 and reduced interest rate from 12% to 10% p a Accordingly the payment was made to Shri S C Jain at the reduced rate
  - 10 Shri S C Jain Ex-A O filed a CWP No 15473 of 2011 in the Hon ble High Court of Punjab and Haryana for grant of pay scale to him higher to the feeder cadre post front-the date it was granted to other employees A per judgment dated 26 11 2013 of the Hon ble High Court of Punjab and Haryana he was allowed higher pay scale w e f 1 7 1983 alongwith interest @ 7% per annum from the date when such amount became due to him till the date of its realization vide order No 15328 31 dated 3 3 2014 (copy enclised at Annexure IV) Further difference amount of earned leave encashment amounting to Rs 63210/- was also sanctioned to him due to revision of his pay scale vide order No 10547 48 dated 28 11 2014 (copy enclosed at Annexure V)
  - 11 Legal notice dated 16 5 2014 given by Shri Rakeshwar Jain Advocate was replied by Confed vide letter No 6810 dated 8 9 2014 copy of which is enclosed at Annexure VI)
  - 12 Incompliance of judgment dated 30 3 2015 of the Hon ble High Court of Punjab and Haryana passed in CWP No 20438 of 2013 necessary order have been passed vide endst No 504 06 dated 20 4 W-6 CVIJY of which is enclosed at Annexure VIII
  - 13 Confed has got the insurance plan of gratuity and leave encashment to secure the retrial benefit of the employees and premium paid to LIC from time to time Confed has no surplus funds to deposit the premium of LIC hence payments made from CCL and department pay interest @ 11 % to 12% per annum whereas the LIC pay interest to Confed @ 8 75% per annum
- In view of above comments/reply and request of the applicant it is submitted as under -
- 1 Payment has already been made to Shri S C Jain as explained in para No 9 above

- 2 Necessary order have been passed vide endst No 504 06 dated 20 4 2016 as explained in para No 12 above
- 3 He has already been paid the difference amount of leave encashment amounting to Rs 63210/- due to revision of his pay scale vide order No 10547-48 dated 28 11 2014 as explained in para No 10
- 4 The reply of this para has been given in para No 8
- 5 He applied for LTC for the block year 2008 11 after his retirement i e 30 4 2009 As per advice of the Chief Secretary to Govt Haryana he is not eligible for LTC as he applied for LTC after his retirement Detailed order passed in this regard by the competent authority vide No 4213-41 dated 8 7 2014 is enclosed at Annexure VII

**Annexure-I**

**The Haryana State Federation of Consumers Co operative Wholesale Stores Ltd Chandigarh**

No 1172 73

Dated 16-4 10

On the basis of the statement of allegations appended hereto it is proposed by the undersigned to proceed against Shri S C Jain Ex Accounts Officer Confed Headquarter Chandigarh under Rule 26 1 for gross misconduct of the Staff Service Rules relating to and adopted in the Confed

2 Shri S C Jain Ex Accounts Officer is hereby given an opportunity to show cause as to why any of the major punishments contained in the Rules above stated of Confed be not imposed on him Any representation which he will make in that connection will be considered before taking a decision Such representation if any should be made in writing and submitted so as to reach direct to the undersigned not later than the 15th day from the date of the receipt of this notice by him If for tilt purpose of preparing the representation he wishes to have access to relevant official records he may inspect the same in the office of the District Manager Confed District Office Karnal/M D Confed Haryana Chandigarh after making prior appointment It may however be pointed out that only such documents will be shown to him as are in the possession of the District Manager Confed District Office Karnal/M D Confed Haryana Chandigarh and as are strictly relevant to the case If in the opinion of the M D Confed it is not desirable in the public interest to allow him access to any document such access shall be refused If Shri S C Jain Ex Accounts Officer wishes to consult any other relevant record which is not in the custody of the District Manager Confed District Office Karnal/M D Confed Haryana Chandigarh it is for him to undertake its inspection It is however made clear to Shri S C Jain Ex Accounts Officer that his failure to inspect the records will not be considered as valid ground for not submitting his representation and if the same is not received within the stipulated period it will be presumed that he has none to submit

- 3 The receipt of this communication may please be acknowledged

Managing Director

Shri S C Jain Ex Accounts Officer Confed  
through District Manager Confed District Office Karnal

Endst No Estt/EA 1/

Dated

A copy of charge sheet is forwarded to the District Manager Confed District Office Karnal He is requested to hand over the original copy to the Ex Accounts officer and obtain his signature as a token of its receipt and send the same to this office at once

General Manager (A)  
For Managing Director

**Charges levelled against Shri S C Jain Acciounts Officer confed Headquarter Chandiqarh ( now retired)**

While Posted in Confed Headquarter Chandiqarh as Senior Accounts Executive during the year 2002 he has committed various acts of omission and commission in the performance of his duties for which he is charge sheeted for gross misconduct under Staff Service Rule 26 1 of Confed as under

**Negligence in performance of duties/doing an act prejudice to the interest of the Federationl involving the Federation in serious losses**

That Shri S C Jain the then Senior Accounts Executive alongwith Shri V K Gupta the then General Manager (P) were deputed to Karnal to contact the miller M/s Hari Ram Paras Ram and to deliver the balance CMR On 12 7 2002 they got the PV conducted As per PV report 465 17 MT rice was lying in the Mill against the required Rice of 968 MT 114 MT CMR delivered against the 465 MT and rest of the 351 MT Rice was siphoned off by the miller Both of them remained at Karnal from 12 7 2002 to 14 7 2002 But they failed to suggest any action for safe custody of stocks in their visit note and take the spot decision to get the physically stock in custody which was found at the time of PV on 12 7 2002 or depute watch and ward staff Had they took action/suggest safety measures in the interest of Confed and remained vigilant the loss of Rs 34 77 Lacs could have been minimized

By doing so Shri S C Jain the then Senior Accounts Executive remained negligent in performance of his duties He acted prejudice to the interest of the Federation and involved the Federation in serious losses Thus he has proved not to be a sincere officer of Confed and violated provision of the Staff Service Rule 26 1 of Confed

Managing Director

**Statement of allegations levelled against Shri S C Jain, Accounts Officer, Confed Headquarter Chandigarh ( now retired)**

While Posted in Confed Headquarter Chandigarh as Senior Accounts Executive during the year 2002 he has committed various acts of omission and commission in the performance of his duties for which he is charge sheeted for gross misconduct under Staff Service Rule 26.1 of Confed as under -

**Negligence in performance of duties/doing an act prejudice to the interest of the Federation/involving the Federation in serious losses**

Confed District Office Karnal procured the 7391 MT paddy at Indri during KMS 2001-2002 in Karnal District and following Millers were engaged to deliver the CMR

1	Shiv Shanker Rice Mill Indri	4430 MT
2	Mahavir Rice Mill Indri	1641 MT
3	Bhanu Rice Land Indri	<u>1320 MT</u>
		<u>7391 MT</u>

The CMR was supposed to be delivered upto Feb 2002. Progress of the CMR was reviewed at Headquarter Level from time to time. The CMR was not delivered by M/s Mahavir Rice Mill Indri. As a result of this the District Level Committee decided to shift the paddy to M/s Hari Ram Paras Ram Indri in Jan 2002. Though the paddy was shifted but the progress of CMR of M/s Hari Ram Paras Ram was not upto the extent in spite of efforts made by the then District Managers from time to time. Shri S C Jain the then Senior Accounts Executive and Sh. V K Gupta the then General Manager (P) Confed Headquarter were deputed to contact the Millers and to deliver the balance CMR. On 12.7.2002 they got the PV conducted consisting the DFSC and Confed Staff. The said PV report was given to the both officers deputed from Headquarter. As per P V report 465.17 MT rice was lying in the Mills against the required Rice of 968 MT. 114 MT CMR delivered against the 465 MT which was physically found on 12.7.2002 at the time of PV. Rest of 351 MT Rice was siphoned off by the miller Shri S C Jain the then Senior Accounts Executive and Shri V K Gupta the then General Manager (P) Confed Headquarter who remained at Karnal from 12.7.2002 to 14.7.2002 failed to suggest any action for safe custody of stocks in their visit note and take the spot decision to get the physically stock in custody which was found at the time of PV on 12.7.2002 or depute watch and ward staff. Had they took action/suggested safety measures in the interest of Confed and remained vigilant the loss could have been minimized. In this way both officers failed to perform their duties. Hence the loss of 351 MT rice amounting to Rs 34.77 Lacs was occurred due to their negligence in their performance of duties.



From the above it is clear that Shri S C Jain the then Senior Accounts Executive remained negligent in the performance of his duties. He acted prejudice to the interest of the Federation and involved the Federation in serious losses. He has proved to be a non sincere officer of Confed and is liable for strict disciplinary action for committing above stated omission and commissions.

Managing Director

**List of documents to be produced in departmental enquiry/list of witnesses against Shri S C Jain, Accounts Officer (Retired)**

**List of documents -**

Concerned Accountant Confed District Office Karnal will produce the following record -

- A) Copy of charge sheet issued to Shri S C Jain Accounts Officer
- B) Copy of District Manager Confed District Office Karnal letter No DO/KNL/918 dated 28.1.2010

**List of Witnesses**

- 1 District Manager Confed District Office Karnal
- 2 General Manager (P) Confed Headquarter Chandigarh

Apart from the above rights of prosecution shall remain reserved for producing any other documents/witnesses during the course of enquiry.

**Annexure II**

**THE HARYANA STATE FEDERATION OF CONSUMER S  
COOPERATIVE WHOLESALE STORES LTD  
SCO NO 1006 07, SECTOR 22 B,  
CHANDIGARH**

Ref No Estt/EA\_\_\_\_/15555 57

Dated 4.01.2010

Sh Rakeshwar Jain

Advocate

District Courts

Chamber No 138 Lawyer s Chambers

Karnal

**Subject Legal notice**

Sir

Please refer to your letter No Nil dated 14.11.2009 regarding the subject cited above. It is to inform that the payment of retirement dues of Sh S C Jain Ex-Accounts Officer could not be made by this office so far for want of finalization of disciplinary proceedings pending against him. The said case involves financial implication of Rs 92.00 lacs. Further his case for pay fixation under 6th pay commission was examined. His pay as on 1.1.2006 under 6th pay commission as Asstt Accounts Officer has been re-fixed. Further the pay as Accounts Officer

shall be fixed as and when the approval for the revision of pay scale of Accounts Officer under 6<sup>th</sup> pay scale is received from the State Government The approval for the revision of pay scale for the pose of Accounts Officer is not received from the State Government and a query has been raised by the Finance Department reply of which is being sent

General Manager (A)  
For Managing Director

Endst No Estt/EA 1/ CC to I

Dated

- 1 The Director Food & Supplies ] Haryana Chandigarh for infonnatioll wrt their letter No Asstt Confed-2009124588 dated 26 11 2009
- 2 SAE Confed H O for information and n/action

General Manager (A)  
For Managing Director

### Annexure III

The Haryana State Federation of Consumers  
Co operative Wholesale Stores Limited

Bays No 19-20 Sector 2 Panchkula Ref No Estt/EA

Dated

### Order

Shri S C Jain A O was retired from the services of Confed on 30 4 2009 He was charge sheeted vide letter No 1172 73 dated 16 4 2010 for misconduct under Staff Service Rules of Confed Main allegation against him \1 that he alongwith Shri VI< Gupta Ex GM was deputed to Karnal to contact the miller M/s Han Ram Paras Ram and to deliver the balance CMR ) On 12 7 they got the PV conducted As pm PV report 465 17 MT rice was lying in mil against the required rice of 968 MT 114 MT CMR was delivered against 465 MT and rest of the 351 IMT rice W8B siphoned off try the millor Both of them remained at Karnal from 12 7 2002 to 14 7 2002 but they failed to suggest any action for safe custody of stocks in their visit note and take the spot decision In get the physically stocks in custody which was found at the time of PV on 12 7 2002 or depute watch and ward staff Had they took action/suggested safety measure in tile interest of Confed and remained vigilant the loss of Rs 34 77 lacs could have been minimized

To know the facts of the case DFSC Karnal was appointed as Inquiry Officer vide order No EA 1/6832 35 dated 30 7 2010 Enquiry report is still awaited The retrial dues of Shri S C Jain A O (Retd) were with held ill finalization of thEl said charge sheet

Shri S C Jain Ex-A O filed a CWP No 15247 of 2011 in the Hon ble High Court of Punjab and Haryana for quashing the charge sheet dated 16 4 2010 and to release his withheld retrial benefits The Honble High Court has passed judgement on 2 5 2013 The operative part of the judgement is as under-

**The Haryana State Federation of Consumers'**  
**Co operative Wholesale Stores, Limited**  
 Bays No 19 20 Sector 2 Panchkula

Ref No Estt/

Dated

In view of my aforeasaid discussion once no provision in the Rules has been cited in terms of which the proceedings against retired employee can be initiated in my opinion the action of the authorities in issuing charge-sheets to the petitioners after their retirement is without jurisdiction and is liable to be set aside Ordered accordingly Withheld retrial benefits of the petitioners be released within one month

In compliance of orders of the Hon ble High Court charge sheet dated 16 4 2010 served upon Shri S C Jain A O (Retd ) is withdrawn Further sanction is hereby accorded to release the payment of gratuity and earned leave encashment to Shri S C Jain Ex A O as under -

1 Gratuity	Rs 3 50 000 00
2 E/L encashment	Rs 2 53 380 00
Total	Rs 6 03 380 00

(Rs Six lac three thousand three hundred eighty only)

Dated Panchkula  
The 5th June 2013

Dr Mahavir Singh  
Managing Director

Endst No Estt/EA 1/3080 3083  
CC to

Dated 6 6 13

- 1 Shri S C Jain A O (Retd) H No 1003 Sector 7 Urban Estate Karnal for information
- 2 SAE Confed Head Office Panchkula for information and n/action She is requested to release the payment to Shri S C Jain A O (Retd) before 21 6 2013 in compliance of judgement dated 22 5 2013 of the Hon ble HighCourt Pre audit has been made by the SA
- 3 General Manager (L) Confed Head Office Panchkula for information and n/action
- 4 DFSC Karnal for information and n/action

General Manager (A)  
For Managing Director

**Annexure IV**  
**The Haryana State Federation of Consumers**  
**Co operative Wholesale Stores Limited**  
**Bays No 19 20 Sector 2 Panchkula**

Ref No Estt/EA

Dated

**ORDER**

Shri S C Jain Ex-Accounts Officer filed a CWP No 15473 of 2011 in the Hon ble High Court of Punjab and Haryana praying issuance of an appropriate writ order or direction in the nature of mandamus directing the respondents to grant the pay scale to the petitioner higher to the Feeder cadre post from the date it was granted to the feeder cadre post The Hon ble High court has passed order on 26 11 2013 operative part of which is as under -

The petition is allowed in the same terms as CWP No 4980 of 2009 The respondents are warned to be careful in future I he needful exercise he concluded positively within a period of four weeks from the date of receipt of ll certified copy of this order and consequential benefits shall be released to the petitioner within one month thereafter This will also carry interest @ 7 10 per annum from the date when such amount became due to the petitioner till the date of its realization

In compliance of above judgment of the Hon ble High Court Shri S C Jain Ex- Accounts Officer is hereby given higher pay scale w e f 01 07 1983 and his pay is refixed as calculated by Accounts Branch as under

Date	Rate of Increment	Raising Pay from (in Rs )	To (in Rs )	Pay scale
01 07 83	-		900	700 1400
01 07 84	40	900	940	-do-
01 07 85	40	940	980	-do-
01 07 86	40	980	1020	-do-
01 07 87	40	1020	1060	-do-
01 07 88	40	1060	1100	-do-
01 07 89	50	1100	1150	-do-
01 12 89		1150	2375	2000 3200
01 05 90		2350	2375	2000 3500
01 07 90	75	2375	2450	-do-
01 07 91	75	2450	2525	-do-
01 07 92	75	2525	2600	-do-
01 07 93	75	2600	2675	-do-

01 07 94	75	2675	2750	-do
01 07 95	75	2750	2825	-do-
01 07 96		2825	2825	-do-
01 07 96	-	2825	8700	6500 10500 (Option given w e f 01 07 1996
01 07 97	200	8700	8900	-do
01 07 98	200	8900	9100	-do-
01 07 99	200	9100	9300	-do
01 07 2000	200	9300	9500	-do-

**The Haryana State Federation of Consumers  
Co operative Wholesale Stores Limited  
Bays No 19 20 Sector 2 Panchkula**

Ref No Estt/EA/ Dated

01 07 2001	200	9500	9700	-do
01 07 02	200	9700	9900	-do
01 07 03	200	9900	10100	-do
01 07 04	200	10100	10300	-do-
01 07 2005	-	10300	10500	-do-
01 01 2006		10500	23730(19530+4200)	34800

Further he is allowed Annual increment the pay band of Rs 9300 34800 including grade pay of Rs 4200/- as under

Date of increment (Promoted as AO Vide order no 2680-81 dated 19 05 2006 )	Rate of increment	Pay raised to Rs	Basic Pay	Total
01 07 2006	3%	720	20250+4200	24450
01 07 200	3%	740	20990+4200	25190
01 07 2008	3%	760	21750+4200	25950

Further Senior Accounts Executive Confed Head Office Panchkula is advised to release the arrear to Shri S c Jain Ex Accounts Officer before 13 03 2014 alongwith interest @ 7% per annum from the date when such amount became due to him till the elate of its realization as ordered by the Hon ble High Court of Punjab and Haryana

Dated Panchkula  
The 28<sup>th</sup> Feb 2014  
Endst Ne EsulEA 1/15328 15331  
CC to -

Arun Gupta  
Managing Director  
Dated 3/3/14

- 1 Shri S C Jain Ex Accounts Officer S/o Shri Harish Chander Jain #1003 Sector-7 Urban State Karnal for information
- 2 SAE Confed Head Office Panchkula for information and necessary action She is advised to release the payment of arrear as per above order to Shri S C Jain Ex AO before 13 03 2014 positively
- 3 General Manager (L) Con fed Head Office Panchkula for information and necessary action
- 4 District Manager Confed District Office Karnal for information He is advised to deliver a copy of this order to Shri S C Jain Ex Accounts Officer immediately

General Manager( A)  
For Managing Director

**Annexure - V**  
**The Haryana State Federation of Consumers'**  
**Co operative Wholesale Stores, Limited**  
Bays No 19 20 Sector 2 Panchkula

Ref No Estt/EA /

Dated

**ORDER**

Sanction is hereby accorded to make the payment of difference amount of earned leave encashment amounting to Rs 63210/ (Rs Sixty three thousand two Hundred ten only) to Shri S C Jain Ex A O Confed on account of revision of his pay scale

Dated Panchkul  
The 27<sup>th</sup> Oct 2014

Arun Gupta  
Managing Director

Endst No Estt/EA 1/10547-48

Dated 28/11/14

- 1 Shri S C Jain Ex A O Confed H No 1003 Sector-7 Urban Estate Karnal for information
- 2 SAE Confed Head Office Panchkula for information and n/action He is advised to release the above said payment to Shri S C Jain Ex A O of Confed Pre audit has already been made by the S A on 11 11 2014 photo copy of Managing Director orders and pre audit of SA are enclosed

General Manager( A)  
For Managing Director

## Annexure VI

**The Haryana State Federation of Consumers'  
Co operative Wholesale Stores, Limited  
Bays No 19 20 Sector 2 Panchkula**

Ref No Estt/EA /6810

Dated

Shri Rakeshwar Jain Advocate  
District Court  
Karnal

Subject Legal notice

Refer to your legal notice dated 16 5 2014 on the subject cited above  
The pointwise reply regarding retrial benefits is as under -

- 1 Shri S C Jain Ex Accounts Officer Confed has applied LTC for the block year 2008 11 after his retirement i e 30 4 2009 The case was sent to the Chief Secretary Govt of Haryana for clarification whether he is eligible 0) not for grant nr LTC after retirement As per clarification received from the Chief Secretary to Govt Haryana he is not entitled for LTC after his retirement
- 2 As per orders of Hon ble High Court of Punjab and Haryana in CWP No 15471 of 2011 filed by Shri S C Jain Ex Accounts Officer his pay was refixed w e f 1 7 1981 and all concerned offices were advised to release his arrear vide order No 15328 31 dated 3 3 2014
- 3 It is not required to be paid as no such order were passed by the Hon ble High Court of Punjab and Haryana while disposing of his CWP 15247 of 2011
- 4 Rs 16200/- on account of TDS has been paid to Shri S c Jain Ex A O vide cheque No 340274 dated 11 6 2014
- 5 Confed has got the insurance plan of gratuity and leave encashment to secure the retirement benefit of the employees and premium paid to LIC from time to time Confed has no surplus funds to deposit the premium of LIC hence payment are made from and department pay interest @ 11% to 12% per annum whereas the LIC pay interest in Confed @ 8 75% per annum

General Manager(A)  
For Managing Director

## Annexure VII

The Haryana State Federation of Consumers  
Co operative Wholesale Stores Limited

Bays No 19 20 Sector 2

Panchkula

Ref No Estt/

Dated

## ORDER

The Hon ble Court of Civil Judge (Jr Division Hissar decided the Court case vide order dated 28 01 2014 filed by Shri D N Tayal Ex Acctt confed District Office Hissar in the Civil suit No 293 C of 2012/2013 dated 19 07 2012/24 09 2013 as under

As sequel to my above discussion the suit of the plaintiff is dismissed being premature However the defendants are directed to get the clarification from the concern Department and from the office of Chief Secretary Haryana within three months and to decide the case of the plaintiff regarding LTC within 15 days thereafter

In compliance of Hon ble Court order dated 28 01 2014 the brief of the case is as under

Shri D N Tayal Ex Accountant Confed District Office Jind applied the LTC for the block year 2008 11 after his retirement i e 30 04 2009 alongwith 25 officer/officials who had also applied LTC after their retirement The case of above said officers/officials examined by the office time and again and again after that the case was sent to the Member Secretary H B P E Finance Department Sector 17 Chandigarh vide latter No Esstt/8080 dated 31 08 2012 of the following officers/officials

Sr No	Name of the officers/officials S/Shri	Last posting	Diary No of application	Date	Date of retirement	Remarks
1	S K Jain Ex District Manager	Kaithal	1071 9706	26-05 2011 16-03 2012	31-05 2009	
2	S S Mann Ex District Manager	Panipat	858 4051 76	13-05 2011 24-10-2011 05-04-2011	31-05 2011	
3	S C Jain Ex AO	HQ	2916 713	13-07 2010 09-05 2011		

Confed Website [www.confedhy.gov.in](http://www.confedhy.gov.in) Email [confedhry@gmail.com](mailto:confedhry@gmail.com)

ORDER



**The Haryana State Federation of Consumers  
Co operative Wholesale Stores Limited**

**Bays No 19 20 Sector 2**

**Panchkula**

**Dated**

**Ref No Estt/**

With the request whether they are eligible or not for grant of LTC as they applied after their retirement Again reminder were issued vide letter No Esstt/EA9507 dated 28 09 2012 and letter No Esstt/EA/11867 dated 22 11 2012 but no reply has been received so far

After that the case was sent to the Chief Secretary Govt of Haryana through DGFS/ PSFS vide letter No 502 dated 26 05 2014 as under

New scheme of leave travel concession for visiting Home Town and any place in India for the State Govt employees as contained in Govt letters No 13 19 2008 2SII dated 05 02 2009 and 18 05 2009 is availed for the state Govt employee The retired State Govt employees who had applied for one month s salary in lieu of LTC after retirement are not entitled for same

Date Panchkula  
The 7th July 2014  
Endst No Esstt/EA 4213-4241

Arun Gupta  
Managing Director  
Dated 8 7 2014

CC to

- 1 Shri Daya Nand Tayal Ex Accountant Confed District Office Hisar R/o H No 1315 Urban Estate 11 Hisar for information
- 2 All the District Manager s Confed in the State for information and necessary action They are advised to inform the above said Officers/Officials immediately at their own level
- 3 All the Branch incharges in Confed Head Office Panchkula for information and similar action
- 4 General Manager (L) Confed Head Office Panchkula for information and necessary action

General Manager (A)  
For Managing Director

Confed Website [www.confedhy.gov.in](http://www.confedhy.gov.in) Email [confedhry@gmail.com](mailto:confedhry@gmail.com)

ORDER

**Annexure-VIII**

**The Haryana State Federation of Consumers  
Co operative Wholesale Stores Limited  
Bays No 19 20 Sector 2  
Panchkula**

Ref No Estt/

Dated

**ORDER**

Shri S C Jain Ex A O filed a CWP No 20438 of 2013 before the Hon ble High Court of Punjab and Haryana praying for direction to quash the impugned order dated 17 08 2010 and 27 2 2013 to grant the pay scale w e f 1 1 2006 and release arrear with market rate interest The Hon ble High Court of Punjab and Haryana passed the following decision on 30 3 2015

Learned counsel for the parties are agreed that the present writ petition is converd by the decision of this court in Sita Ram Barvaria and others Vs State of Haryana and other CWP No 19102 of 2012 decided on 3 11 2014

Consequently this writ petition is disposed of in the same terms as in CWP No 19102 of 2012

Following decision was passed in CWP No 19102 of 2012 on 3 11 2014

Consequently the petitioner are declared entitled for the financial benefit of revision of pay scales right from 1 1 2006 instead of 18 9 2010 Let respondent authorities do the needful within a period of two months from today If the needful is not done within the stipulated period petioonesrs shall be entitled for the arrears of salary alongwith interest @ 9% from 1 1 2006 till the date of actual payment

Resultantly with the above said observations made and directions issued instant writ petition stands allowed however with no order as to costs

Confed also LPA No 19 of 2015 against above decision befor the Hon ble High Court of Punjab and Haryana in which following order was passed on 8 1 2015

In view of the above we do not find any infirmity in the impugaed judgment dated 3 11 2014 passed by Learned Single Judge which would call for any interference by us

Learned Advocate General then prayed for some more time for implementing the judgement passed by learned Single Judge While accepting this request we grant the appellat Federation time upto and including 31 3 2015 to implement the judgement dated 3 11 2014 passed by the Learned Single Judge

with the above observations the present Letters Patent Appeal stands dismissed  
order All

Earlier Shri S C Jain Ex Accounts Officer also filed a CWP No 15473 of 2011 in the Hon ble High Court of Punjab and Haryana praing issuance of an appropriate writ order or direction in the nature of mandamus directing the respondents to grant the pay scale to the petitioner higher to the Feeder cadre post from the date it was granted to the feeder cadre post The Hon ble High court has passed order on 26 11 2014 operative part of which is as under

The petition is allowed in the same terms as CWP No 4980 of 2009. The respondents are warned to be careful in future. The needful exercise be concluded positively within a period of four weeks from the date of receipt of a certified copy of this order and consequential benefits shall be released to the petitioner within one month thereafter. This will also carry interest @ 7% per annum from the date when such amount became due to the petitioner till the date of its realization.

In compliance of above judgment of the Hon'ble High Court, Shri S C Jain Ex Accounts Officer was allowed higher pay scale w.e.f. 01.07.1983 to onward and his pay was fixed upto 1.7.2008 by granting all the due increments. Further Senior Accounts Executive Confed Head Office Panchkula was advised to release the arrear to Shri S C Jain Ex Accounts Officer alongwith interest @ 7% per annum from the date when such amount became due to him till the date of its realization vide order No 15328/31 dated 3.3.2014.

The pay scale of Accounts Officer in the 5th pay scale was Rs 6500-10500 which was further modified in the 6th pay scale as 9300-34800+GP4200/. Shri S C Jain has already been allowed the revised pay scale of Rs 9300-34800+4200/ w.e.f. 1.1.2006 alongwith arrear and interest @ 7% vide order No 15328/31 dated 3.3.2014.

Legal branch has opined that now he is entitled for 2% of difference amount of interest. The difference amount of interest @ 2% from 19.5.2006 (promotion date of Shri S C Jain as A.O.) to 31.3.2016 on arrear of salary paid him w.e.f. 19.5.2006 has also been got calculated from Accounts Branch and it has been reported by them that the actual interest will be Rs 24735/.

In view of above sanction is hereby accorded to make the payment of Rs 24735/ on a/c of difference amount of interest @ from 19.5.2006 to 31.3.2016 to Shri S C Jain Ex AO.

Dated Panchkula  
The 5th April 2016

Sanjay Joon  
Managing Director  
Dated 20.4.2016

Endst No Esstt/EA 504/506  
CC to

- 1 Shri S C Jain Ex AO Confed H No 1003 Sector 7 Urban Estate Karnal for information
- 2 SAE Confed Head Office for information and necessary action. He is advised to release the payment to Shri S C Jain Ex AO immediately being court case. Sanction of M.D. and pre audit made by SA on 12.4.2016 is enclosed. He is also advised to make the payment of difference amount @ 2% from 1.4.2016 to the date of actual payment.
- 3 General Manager (L) Confed Head Office for information and necessary action wrt his UO No 12835 dated 29.1.2016.

General Manager (A)  
For Managing Director

The Committee considered the Department's reply in its meeting held on 7.2.2017 and felt satisfied with the reply. Therefore the petition is disposed off accordingly.

**19 PETITION RECEIVED FROM SHRI SATBIR RATHI DISTT PRESIDENT, VPO LAKHAN MAJARA (HAIR PANNA), ROHTAK, REGARDING CONSTRUCTION OF PUGGA CULVERT OF LAKHAN MAJARA LINKDRAIN**

The Petition received from Shri Satbir Rathi reads as under

सेवा मे

चेयरमेन  
याचिका समित  
हरियाणा विधान सभा चण्डीगढ।

**विषय** गाव लाखन माजरा लिंक ड्रेन पर पूला/पुलिया/कुलर्वत बनवाने हेतू प्रार्थना पत्र।

महोदय

हम ग्राम लाखन माजरा निवासी आपने प्रार्थना करते है। उपरोक्त विषय बारे कार्यकारी अभियन्ता रोहतक जल सेवाये मण्डल रोहतक मे प्रार्थना पत्र दिनांक 21 2013 को Recpt No 2 Case No 463/W दिनांक 21 2013 पर दिया था। कि लाख माजरा डैले पर पुल/पुलिया बनाई जाये जोकि इसतेमाल का रास्ता है। 16 1 2002 फूट का डेल पर फुल न होने के कारण किसानो एव पशुओ को काफी दिक्कत का सामना करना पडता है क्योंकि गाव का पचायती तालाब जिस पर मन्दिर नही है वहा पर आवे जाने वालो को काफी दिक्कत होती है। इस बारे हर सप्ताह जनीदारो को बताया जाता है कि अगले सप्ताह तक आपका काम हो जायेगा लेकिन आज तकरिबन 2 वर्ष 8 महिने हो गये है। पता चला है कि इसका Tender भी हो चुका है जिसका ठेकेदार जोगिन्द्र सिंह है उस ने भी बताया है कि आपका Case चण्डीगढ भेज दिया गया है। और जल्दी ही हो जायेगा लेकिन कोई भी कार्य आज तक नहीं हुआ है। फसल बुआई व कटाई के समय किसानो को एक दूसरे के खेत से होकर अपना ट्रैक्टर या जो भी साधन है लेकर आते है जिससे इ गड्ढा होता। इस बार विभाग को भी समय 2 पर अवगत कराते रहे है। लेकिन विभाग हमारी को सुनवाई नहीं कर रहा है इस बारे M window मे भी दिनांक 27 7 2015 को रसीद न0 8303 के अधीन प्रार्थना पत्र दिया था। उसका भी कोई जवाब या कोई सुचना नहीं मिली इस बारे मे कार्यवाही करवाने की कृपा करे।

भवदीय

सतबीर राठी

The Petition was placed before the Committee in its meeting held on 11 9 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 in its meeting held on 15 12-2015 in which Committee orally examined the Engineer in Chief Irrigation Department Haryana and the petitioner in which Engineer in Chief assured the Committee that they will dispose off the grievances of petitioner

Thereafter on 7 12 2016 petitioner submitted a application before the Committee stated that department has stated the work of construction of pucca culvert and their grievances is now settled therefore his petition may be filed Application of Shri Satbir Rathi reads as under

सेवा में

चैयरमैन

याचिका समिति

हरियाणा विधान सभा चण्डीगढ़।

विषय गांव लाखन माजरा लिंक ड्रेन पर पुल/पूलिया बनवाने हेतु प्रार्थना पत्र।

महोदय जी

आज मुझे माननीय समिति को यह सूचित करते हुए अति हर्ष हो रहा है कि मैंने दिनांक 11 9 2015 को गांव लाखन माजरा लिंक ड्रेन पर पुल/पूलिया बनवाने के बारे में याचिका दी थी वह कार्य विभाग द्वारा पूरा कर दिया गया है। विभाग द्वारा पूलिया बनवा देने से गांव वासियों को ड्रेन के दूसरी तरफ आने जाने में काफी लाभ हो रहा है। मैं समस्त लाखन माजरा वासियों की तरफ से समिति के चैयरमैन सदस्यों व विधान सभा के कर्मचारियों व अधिकारीगण का हार्दिक धन्यवाद करता हूँ। यह कार्य कई वर्षों से लम्बित था। लेकिन विभाग द्वारा कोई कार्यवाही नहीं की जा रही थी। लेकिन माननीय समिति के द्वारा दिए गए निर्देशों से विभाग ने उपरोक्त पुल बना दिया गया है। मैं एकबार फिर माननीय समिति का दिल की गहराइयों से धन्यवाद करता हूँ।

भवदीय

सतबीर राठी

जिला उपाध्यक्ष (लाखन माजरा)

Committee considered the application of Petitioner in its meeting held on 7 2 2017 and committee is of the view that grievance of petitioner stand resolved Therefor petition is disposed off accordingly

**20 PETITION RECEIVED FROM SHRI SATBIR RATHI DISTT VICE PRESIDENT,BJP ROHTAK, REGARDING INSTALLATION OF WATER BOOSTER AT G.G.H S LAKHAN MAJARA (ROHTAK)**

The Petition received from Shri Satbir Rathi reads as under

The Petition was placed before the Committee in its meeting held on 14 9 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 in its meeting held on 15 12 2015 in which Committee orally examined the Engineer in Chief Irrigation Department, Haryana and the petitioner in which Engineer in Chief assured the Committee that they will dispse off the grievances of petitioner

Thereafter on 15 12 2016 petitioner submitted a application before the Committee stated that department has stated the work of installation of booster is completed and their grievances is now settled therefore his petition may be filed Application of Shri Rathi reads as under

सेवा मे

चेयरमैन

याचिका समित

हरियाणा विधान सभा चण्डीगढ।

विषय राजकीय कन्या उच्च विद्यालय (लाखन माजरा) मे पानी के बुस्टर बनवाने बारे प्रार्थना पत्र।  
महोदय

हमने 14 9 2015 को माननीय समिति को राजकीय कन्या उच्च विद्यालय (लाखन माजरा) मे पानी के बुस्टर बनवाने हेतु याचिका दी थी। माननीय समिति के चेयरमैन सदस्य व विधान सभा के अधिकारी/कर्मचारियों के द्वारा दिए गए निर्देशों से गाव लाखन माजरा मे विभाग द्वारा पानी का बुस्टर बना दिया गया है। जिससे कन्या उच्चतर विद्यालय व हरिजन बस्ती को पानी पहुच रहा है। मैं समस्त लाखन माजरा वासियों की तरफ से माननीय समिति का हार्दिक धन्यवाद करता हू।

भवदीय

सतबीर राठी

जिला उपाध्यक्ष

भारतीय जनता पार्टी (लाखन माजरा)

Committee considered the application of Petitioner in its meeting held on 7 2 2017 and committee is of the view that grievance of petitioner stand resolved Therefore petition is disposed off accordingly

**21 PETITION RECEIVED FROM PRESIDENT VILLAGE UPLIFTMENT ASSOCIATION, SEWAH, PANIPAT REGARDING GRIEVANCES OF VILLAGE UPLIFT ASSOCIATION PANIPAT**

The Petition received from President Village Uplift Association reads as under

To

The Chairman

Petition Committee

Haryana Vidhan Sabha Chandigarh

विषय सस्था (विलेज अपलिफ्ट एसोसिएशन) द्वारा आम जनता हेतु किये जाने वाले धर्म के कार्यों एव सस्था अधिकृत सजय गाधी आई हस्पताल एव रिसर्च इंस्टीट्यूट द्वारा दी जाने वाली सहायता मे उत्पन्न बाधा की जानकारी एव निवारण बारे प्रार्थना पत्र।

श्रीमान जी

निवेदन है कि सस्था (विलेज अपलिफ्ट एसोसिएशन) सन 1981 से आम जनता की सेवा मे कार्यरत है एव सन 1981 से ही सरकार द्वारा पजीकृत है (Registration Certificate No 77 of 1981 82)

प्रति सलग्न है। सस्था ने हरियाणा सोसायटी रजिस्ट्रीकरण तथा विनियम अधिनियम 2012 की धारा (4) के तहत नवीनीकरण भी करवा लिया है प्रति सलग्न है।

सस्था का नवीनीकरण करने में Joint Director Distt Registration Firms & Societies Panipat Haryana ने जो भी दस्तावेज सस्था से मागे वो देखने समझने व जाचने के बाद सस्था को लगभग चार महीने पश्चात 26 मई 2014 को नवीनीकरण करने सम्बन्धित विभाग ने प्रमाण पत्र जारी कर दिया।

सस्था सन 1981 से ही जन कल्याण हेतु सजय गांधी आई हस्पताल एव रिसर्च इंस्टीट्यूट गांव सिवाह में जी०टी० रोड जिला पानीपत में चला रही है। सस्था को बजरिये दान पत्र दिनांक 05 06 1981 को स्व० श्री सरदारा सिंह पुत्र श्री माडा सिंह निवासी गांव सिवाह ने 12 कनाल 6 मर्ले भूमि सजय गांधी आई हस्पताल एव रिसर्च इंस्टीट्यूट बनाने व उसके द्वारा जनता की सेवा हेतु दान में दी थी दान की रजिस्ट्री की प्रति सलग्न है। सस्था ने जनता से दान लेकर सजय गांधी आई हस्पताल एव रिसर्च इंस्टीट्यूट के लिए लगभग 20 लाख रुपये खर्च करके शानदार भवन बनवाया जिसके द्वारा सस्था सन 1981 से ही आम जनता की सेवा कर रही है।

सस्था को कार्यालय जिला रजिस्ट्रार फर्मज एण्ड सोसायटी पानीपत द्वारा पत्रांक ए०एफ०एस०/51/2014/विलेज अफलिफ्ट एस०/829 दिनांक 10 04 2014 पत्र मिला जिसमें श्री बिजेन्द्र सिंह पूर्व मंत्री द्वारा शिकायत किये जाने की जानकारी दी गई थी एव श्री बिजेन्द्र सिंह पूर्व मंत्री द्वारा शिकायत किये जाने की जानकारी दी गई थी एव बिजेन्द्र सिंह द्वारा विभाग को दी गई दरखास्त की प्रति भी भेजी गई थी एव 30 04 2015 को जिला रजिस्ट्रार फर्मज एण्ड सोसायटी पानीपत में सस्था के अध्यक्ष व सेक्रेटरी को बुलाया गया था जहां प्रार्थी ने सम्बन्धित अधिकारी Sh S N SINGH Joint Director को सस्था सम्बन्धी सभी जानकारी दी। लिखित रूप में सभी जानकारी दी। दिनांक 13 05 2015 को दी गई है।

सस्था आम जनता की सेवा के लिए कार्य कर रही है जिसमें श्री बिजेन्द्र सिंह व उसके परिजन बाधाएं डाल रहे हैं जिसकी शिकायत प्रार्थी ने मुख्यमंत्री महोदय हरियाणा उपायुक्त पानीपत उपमण्ड अधिकारी (ना०) पानीपत वरिष्ठ पुलिस अधीक्षक पानीपत थाना प्रभारी चादनी बाग पानीपत सबको दरखास्त लगाई है (प्रतिया सलग्न है) कि अस्पताल को सुचारु रूप से चालाने के लिए सस्था की सहायता की जाये ताकि सजय गांधी आई अस्पताल एव रिसर्च इंस्टीट्यूट द्वारा आम जनता की सेवा की जा सके एव बिजेन्द्र सिंह वगैरा के खिलाफ उचित कानूनी कार्यवाही की जावे।

प्रार्थी को बार बार कार्यालय फर्मज एण्ड सोसायटी पानीपत में बुलाया जा रहा है व व्यर्थ ही दुखी किया जा रहा है जबकि कार्यालय के पास सस्था के रजिस्ट्रीकरण व नवीनीकरण करने के लिए सभी दस्तावेज जमा किये गए हैं तत्पश्चात ही विभाग द्वारा सस्था को रजिस्टर्ड व नवीनीकरण किया गया है।

प्रार्थी को आशका है कि सम्बन्धित विभाग के अधिकारी श्री बिजेन्द्र सिंह कादयान के साथ मिलकर प्रार्थी को जन बूझकर दुखी कर रहे हैं। प्रार्थी को यह आशका इसलिए है क्योंकि जो सस्था सन 1981 से रजिस्टर्ड है एव जिसका 2014 15 में नवीनीकरण सभी दस्तावेजों की पूर्ति करने के बाद किया गया है एव सस्था सन 1981 से अपने अधिकृत सजय गांधी आई अस्पताल एव रिसर्च इंस्टीट्यूट द्वारा आम जनता की सेवा कर रही है उसके कार्य में बाधा डालने हेतु बिजेन्द्र सिंह वगैरा को जो जवाब स्वयं कार्यालय फर्मज एण्ड सोसायटी पानीपत द्वारा दिया जाना चाहिए था वो ना देखकर प्रार्थी को व्यर्थ ही परेशान किया जा रहा है एव आम जनता हेतु किये जाने वाले धर्म के कार्यों को रोका जा रहा है।

मान्यवर कृपया इन सभी तथ्यों को सज़ान में लेकर सस्था की उचित कानूनी सहायता करने का कष्ट करे ताकि सस्था को आम जनता की सेवा में कोई बाधा ना आये।

आपकी अति कृपा होगी।

धन्यवाद

प्रार्थी

अध्यक्ष विलेज अपलिफ्ट एसोसिएशन

The Petition was placed before the Committee in its meeting held on 27 5 2015 and the Committee desired that comments of the concerned department may be obtained within 15 days accordingly letter were sent to the State Registrar Firms & Societies Panipat attaching copy of Petition

The office of the District Registrar Firms & Societies Panipat sent reply to the Committee on 26 6 2015 which reads as under

कार्यालय जिला रजिस्ट्रार फार्मज एण्ड सोसायटीज पानीपत।

सेवा में

The Chairman

Petition Committee

Haryana Vidhan Sabha Secretariat

Sector 1 Chandigarh 160001

पत्राक ए0एस0एस0/विलेज अपलिफ्ट/51/2014/2015/1288 दिनांक 26 06 2015

विषय Regarding grievances of village uplift Association Panipat

महोदय

आपके पत्राक HVS/Petition/15 16/8469 दिनांक 3 6 2015 के सदर्थ में।

इस सबध में आपका ध्यान आकृष्ट करते हुए कृपया मामले में निर्दिष्ट इस कार्यालय की टिप्पणी निम्नप्रकार से है

- (1) समिति हरियाण विलेज अपलिफ्ट एसोसियेशन का पजीकरण क्रमांक 77 दिनांक 12 5 1981 को रजिस्ट्रार फार्मज एण्ड सोसायटीज हरियाणा चण्डीगढ़ द्वारा किया गया। (छायप्रति साथ सलग्न है।
- (2) इस समिति ने अपने पत्राक 45 दिनांक 15 9 1981 द्वारा सविधान में सशोधन हेतु आवेदन किया जिसका अनुदान/स्वीकृति विभाग द्वारा दिनांक 1 3 1980 को जारी की गई। इसके पश्चात दिनांक 22 4 2014 तक पर पर अर्थदण्ड लगाने का प्रावधान किया गया जिसकी पालना में संबंधित समितियों को हर वर्ष अपनी लेखा रिपोर्ट उपधारा 12 ग के तहत लेखे रखेगी तथा उपधारा 12 (क) (1) के अनुसार तुलना पत्र इस कार्यालय में प्रस्तुत करना समिति का कर्तव्य था जो कि समिति ने इस कार्यालय में प्रस्तुत नहीं किये।



- (4) समिति ने दिनांक 23 04 2014 को हरियाणा सोसायटी जरिस्ट्रीकरण अधिनियम 2012 के तहत नवीनीकरण हेतु आवेदन किया। चूंकि समिति द्वारा कमी भी आडिट रिपोर्ट नियमित रूप से प्रस्तुत न करने पर हरियाणा सशोधित एक्ट 2007 के तहत 2000/ रुपये समिति पर अर्थ दण्ड लगाया गया। समिति द्वारा नवीकरण के लिए जो आवेदन प्रस्तुत किया उसके साथ समिति की बैठक दिनांक 9 2 2014 की कार्यवाही की छायाप्रति सदस्यों के रजिस्टर की छायाप्रति तीन वर्ष की तुलनपत्र व पजीयन हेतु राजकीय कोष में जमा करवाए गए 2600+700 रुपये के चालान प्रस्तुत किये। समिति द्वारा प्रस्तुत बैठक दिनांक 9 2 2014 की कार्यवाही में यह उल्लेख किया गया कि समिति के पजीकरण के समय के 21 सदस्यों में से मात्र 6 सदस्य जीवित हैं।
- (5) समिति द्वारा नवीनीकरण करने हेतु प्रस्तुत दस्तावेजों के आधार पर दिनांक 26 5 2014 को नियमन नवीनकरण किया गया। कार्यालय द्वारा मामले में कार्यवाही करते हुए दिनांक 26 5 2014 को पजीकरण क्रमांक 51 वर्ष 2014 15 जारी किया गया।
- (6) दिना 20 3 2015 को इस कार्यालय में श्री बिजेन्द्र सिंह कादियान पुत्र श्री सरदारा सिंह यश फार्म जी0टी0 रोड गांव सिवाह पानीपत ने श्री आनन्द खत्री के विरुद्ध शिकायत दी जिसमें लिखा गया है कि आनन्द खत्री के विरुद्ध शिकायत दी जिसमें लिखा गया है कि आनन्द खत्री ने फर्जी कागजात चैयार करवाकर व फर्जी सदस्य बनाकर सोसायटी का नवीनीकरण करवाया। आनन्द खत्री द्वारा बनाई फर्जी सोसायटी को रद्द किया जाए। इस मामले में श्री बिजेन्द्र सिंह कादियान की शिकायत दिनांक 30 4 2015 को अपने पक्ष के दस्तावेजों सहित उपस्थित होने के लिए लिखा गया। केस में अगली तिथि दिनांक 5 6 2015 निश्चित की गई जिसमें श्री आनन्द खत्री ने यह अनुरोध किया कि उनको घरेलू कार्य से शीघ्र जाना है तथा वह केस में कोई दस्तावेज लेकर नहीं आए यह भी अनुरोध किया कि अगली पेशी पर जो दस्तावेज उनके पास उपलब्ध है वह अगली पेशी पर प्रस्तुत कर दिये जाएंगे तथा दिनांक 17 6 2015 सुनवाई के लिए निश्चित की गई।
- (7) दिनांक 17 6 2015 को श्री आनन्द खत्री ने अपने लिखित ब्यान में यह कहा कि सस्था से जो कार्यवाही रजिस्टर व दस्तावेज माग रहे हैं वो कार्यवाही रजिस्टर गुम हो चुका है जिसकी सूचना सस्था के सचिव श्री सुमित डबास द्वारा दिल्ली पुलिस को दे दी गई थी (जिसकी छायाप्रति साथ सलग्न है) तथा यह भी ब्यान किया गया कि श्री बिजेन्द्र सिंह कादियान ने लालच में आकर मनगढ़त शिकायत की है। सुनवाई के दौरान श्री बिजेन्द्र सिंह कादियान ने यह आरोप लगाया कि इस बनाई गई सस्था में फर्जी सदस्य बनाकर हमारे पिता द्वारा दी गई प्रोपर्टी को हडप करना उद्देश्य है।

मामले में निम्नहस्ताक्षरी द्वारा कार्यवाही करते हुए समिति द्वारा बनाए गए सदस्या के सदस्यता की का सत्यापन तथा उनकी पात्रता इत्यादि की पुष्टि की जानी है। इसके लिए हरियाणा सोसायटी रजिस्ट्रीकरण अधिनियम 2012 की धारा 21 के तहत सभी सदस्यों को अपनी स्थिति स्पष्ट करने हेतु नोटिस दिया जा रहा है तथा इस विषय में जो भी तथ्य उभरकर आएंगे तदनुसार मामले में आगामी कार्यवाही की जाएगी।

कृपया यह आपके सूचनार्थ है।

सलग्न उपरोक्त

जिला रजिस्ट्रार

पृष्ठांकन क्रमांक ए0एस0एस0/विलेज अपलिफ्ट/51/2014 15/15/1289 दिनांक 19 3 2015 266 2015

प्रतिलिपि स्टेट रजिस्ट्रार आफ सोसायटी हरियाणा उद्योग एव वाणिज्य निदेशालय 30 बैज बिल्डिंग सैक्टर 17 चण्डीगढ़ को कृपया सूचनार्थ प्रेषित है।

*On 15 07 2015 the Committee orally examined the State Registrar Firms & Societies Haryana District Registrar Firms & Societies Panipat and the petitioner During the meeting it transpired that the 12 Kanal land on GT Road Vill Sewah Panipat was donated by Sh Sardara Singh (Father of Sh Bijender Singh) to the said Association with the condition that Sanjay Gandhi Eye Hospital will built on said land no other work will done on this land The petitioner also stated that proceeding register was lost and the FIR was also lodged After hearing the departmental representative and petitioners the Committee desired the departmental representative to issue notices to both the parties and in the next meeting Sh Bijender Singh may also be called*

*In the next meeting for oral examination of State Registrar Firms & Societies Haryana Chandigarh District Registrar Firms & Societies Panipat Sh Bijender Singh Ex-Minister and the petitioner along with Sh Hari Singh Nalwa Ex-MP was held on 25 8 2015 The departmental representative stated that there was conflict between 2 groups of Village Upliftment Association Panipat and as per the orders of the Committee the District Registrar listened both the groups and after verification on 14 08 2015 a detailed report was submitted according to which there were 6 founder members and 17 life members totalling 23 Members of the said association Besides there were 99 valid members and there were 122 valid members of this association meeting thereby as per bye laws of association for election of governing body 122 voters were eligible The society was registered in 1981 and upto 2014 no record is available showing the works done by the association Some documents showing the loss of record were also shown by Registrar Firms & Societies and Sh Bijender Singh Kadian to the Committee The Registrar also stated that on 11 10 2001 individual application forms were approved by the then President Sh Hari Singh Nalwa to which Sh Nalwa refuted that he was never president of the said association from 1981 till date Sh Bijender Singh Kadian stated the history of donation of land in 1981 and Sh Hari Singh Nalwa was member of the Association at that time He also stated that for the last so many years no Eye Hospital is working on the said land Some outsiders want to grab this land and he wants that Eye Hospital should work properly After hearing all parties in detail regarding approval of members and election etc the Committee recommended that after adopting prescribed quorum 8 Members (6 founders and 2 life members) may elect the President by secret ballot under the supervision of SDM/Tehsildar and the Police*

*The department started the process of election of the Governing Body to which Sh Hari Singh Nalwa objected that election of only President be held and not of whole governing body The Committee again orally examined all concerned on 06 11 2015 and the departmental representatives stated as per act/bye laws election of whole governing body can be conducted and not alone*

of President But Sh Han Singh Nalwa insisted that Committee ordered for election of President and election of President alone can also be conducted The Committee observed that State Registrar Firms & Societies written that election of governing body is to be conducted Therefore election of governing body may be held and not alone of President Sh Han Singh Nalwa stated that they are submitting resignation to the Committee to which committee observed that said resignation has no concern with the Committee as it does not fall within the jurisdiction of the Committee and the matter may be taken up with the Association or SDM or District Registrar Firms & Societies by Sh Han Singh Nalwa

Thereafter Sub-Divisional Officer Panipat vide his letter dated 30 11 2015 informed the committee as under  
From

Sub Divisional Officer (Civil)  
Panipat

To

1 Chairman  
Committee of Petition  
Haryana Vidhan Sabha  
Chandigarh

2 State Registrar of Societies Haryana  
30 Bays Building Chandigarh

Memo no Village uplift/Elec /2015/1879 Dated 30 11 2015

**Subject Election of Governing body of Village Uplift Association, Panipat in compliance of Hon'ble Committee of Petition Haryana Vidhan Sabha order dated 25 08-2015**

Kindly refer on the subject cited above

In Compliance of decision of Hon'ble Committee of Petition Haryana Vidhan Sabha dated 25-8 2015 and clarification given by State Registrar of Societies Haryana vide letter dated 5-11 2015 The election of the Governing Body of the Society was fixed on 30 11-2015 All the 08 members of the Society were information through registered post regarding schedule of said election On 30 11-2015 only 02 nominations form (one of Sh Bjender Singh S/o Sh Sardar Singh for the post of President & one of Sh Shn Parkash Bansal S/o Late Sh Ganga Dayal for the post for Secretary) were received in the prescribed time limit mentioned in the election schedule After scrutiny both the nominations were found in order therefore due to the non receipt of any other nomination for the post of President & Secretary Following were declared elected unopposed

- |   |                                               |           |
|---|-----------------------------------------------|-----------|
| 1 | Sh Bjender Singh S/o Sh Sardar Singh          | President |
|   | Vill Siwah Panipat                            |           |
| 2 | Sh Shn Parkash Bansal S/o Late Sh Ganga Dayal | Secretary |
|   | R/o Samalka Panipat                           |           |

Sub Divisional Officer (Civil)  
Panipat

**Sh Hari Singh Nalwa Ex-M P & Founder Member Village Uplift Association Vill Sewah Distt Panipat has submitted a representation addressed to the Hon ble Speaker dated 30 11 2015 which reads as under**

**To**

**Sh Kanwar Pal ji**

**Hon ble Speaker Haryana Vidhan Sabha Secretariat**

**Sector-1 Chandigarh 160001**

**Subject Matter regarding Village Uplift Association Vill Sewah Distt Panipat Haryana**

**Dear Sir**

**The Village Uplift Association is running an eye hospital at Vill Sewah Distt Panipat Haryana since 1984 under the name and styl Sanjay Gandhi Eye Hospital It is a charitable hospital for the benefit of common masses We are attaching herewith a written reply submitted to The SDM/District Registrar Panipat today on 30-11-2015 at 9 15 AM in which most important legal points are involved which needs to be clarified by the legal experts in this regard If it is not dealt with care it will affect the good governance of the Government which is the main motto of the present Government Since your good self is more sensitive regarding the proper & legal functioning of the Vidhan Sabha s total committees therefore you are hereby requested to look into this written reply addressed to The SDM/District Registrar Panipat attached herewith and suggest/take proper action in it This matter is concerned to the legal Petition Committee of Haryana Vidhan Sabha**

**Thanking you**

**Sincerely yours**

**Hari Singh Nalwa Ex M P & Founder Member**

**On this representation the Hon ble Speaker ordered that the case may be examined and facts to be brought to his notice The representation of Sh Hari Singh Nalwa was examined and the factual position was brought to the notice of the Hon ble Speaker who was pleased for order the file the letter of Sh Hari Singh Nalwa Ex-MP Since the officer bearer declared elected unopposed and these election attained finality the Committee is of the view that the matter stands resolved and no further action needs to be taken The Committee in its meeting held on 7-2-2017 the Petition is disposed of accordingly**

**22 PETITION RECEIVED FROM SH M S AHLAWAT, H NO 858, SECTOR 2, ROHTAK REGARDING PROMOTION IN FISHERIES DEPARTMENT**

*The Petition received from Shri M S Ahlawat reads as under*

To

*Hon ble Chairperson  
Committee on Petitions  
Haryana Vidhan Sabha  
Chandigarh*

*Sub Connivance of senior officials posted with Haryana Government in changing the policy of Govt of Haryana with respect to promotions in Fisheries Department Haryana (for promotion to post of Director/Joint Director) and thereby also managing to get an amendment by virtue of notification issuing to get there favourable official Sh Dharminder Singh Budhwar DFO(HQ) promote to senior post and thereby making a mockery of Amendment made in Haryana Fisheries Department State Service Group A Rules 1980 & 1999 vide Haryana Fisheries Department State Service Group A (Amendment) Rules 9th March 2016*

Sir

*It is submitted as under -*

*1 That by current notification of 20 16 it has been made via changed/ amended and mandatory condition for District Fishery Officer (DFO) with respect to his/her eligibility to be promoted for superior post to hold an M Sc Degree (Regular) Earlier same option in Haryana Fisheries Department was created for brief period via sponsored mode by Govt of Haryana and after paying their M Sc educational fee and their salaries at the cost of government exchequer for selected few officials and was later discontinued These officials got regular salary and benefits but are now also beneficiary of promotion via new notification for eligibility to post of promotion to post of Director/Joint Director Copy of new notification is annexed as Annexure I These officials are less than 10 in number and comprise of lesser than 90 % of total eligible strength of DFO as per old procedure but as per new notification they are more than 95 % of the eligible criteria as others are not included in the list because of new notification*

*2 That It is pertinent to mention that 95 % of District Fisheries Officers who are also M Sc (correspondence) on their own and by virtue of paying fee from their own pocket are not only denied that privilege and are ineligible because of change and via current notification but are also discriminated against principle of natural justice*

*3 List of those five beneficiary officials with their caste/communities is also annexed as Annexure H*

4 I regret to state that this manipulation is totally biased with an aim and motive to provide corrupt benefit to few and select officials belonging to a particular community and is also causing irreparable damage to honest and clean image of Honorable Prime Minister of India

I request your good self to immediately act and pass order for restoration of previous notification and order for status quo

Thanking you

Postal Address -  
M S Ahlawat  
H No 858 Sector 2  
Rohtak (Haryana)

Yours sincerely

M S Ahlawat  
H No 858 Sector 2  
Rohtak (Haryana)

The Petition was placed before the Committee in its meeting held on 18 06 2016 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 Fisheries Department Haryana vide their letter No EA I-2016/859 dated 15 03 2016 which reads as under-

The Director Fisheries Department  
Haryana Panchkula

The Principal Secretary to Govt Haryana  
Haryana Vidhan Sabha Secretariat  
Sector-I Chandigarh  
EA-I 859-15 3 2016

Subject Regarding promotion in Fisheries Department

Ref Your office letter No HVS/Petition/490/16 17/11744 dated 4th July 2016

The detailed comments to the grievances pointed out in the representation dated 25 05 2016 submitted before committee on petitions by Sh M S Ahlawat H No 858 Sector-2 Rohtak are given as under -  
1 It is submitted that the Department/ Govt has its prerogative to choose which academic qualification is the need of the hour for better human resource administration and development of the Department in modern age to cater the need for Fisheries Department development as a whole. It is need of the Department to have Officers with qualification of Fisheries Background for its

*suitability and for getting the best talented person as its officers needed to make available the much needed technically competent personals for imparting training to fish farmers development and transfer of technology in the field of fish culture development and extension*

*It is suitable to mention here that M Sc Fisheries/ M Sc Zoology with specialization in Fish and Fisheries are technical degree Courses which require regular practical classes/exams and research work which is not possible through distance mode of education for gaining fruitful technical knowledge and there is also a Govt policy of study leave for employees to acquire higher qualification. The officers/Candidate who have done M Sc Courses as in service were sponsored by XGovt as per policy and there is nothing hidden and everything is on record as per duly approvals by the Govt*

*2 It is also appropriate to mention here that there are more than 95% officers who have acquired their M Sc Zoology degree through distance mode of education from illegal franchises of Vinayaka Mission University which is against UGC guidelines. Three complaints were received through CM Window that the degree or M Sc Zoology acquired by Sh Mahender Singh Ahlawat Deputy Director Fisheries is not authentic and in response to the complaints some officers were asked to submit their document of migration certificate information about the personal class contact programmes attended and practical classes vide this office UO No EA I- 2015/7708 11 dated 06 07 2015 and vide reminder UO No EA I-20 15/8205 08 dated 20 07 2015 but they neither replied nor submitted any information intentionally. Therefore Govt is conducting a Vigilance Enquiry regarding mode and authenticity of the acquired M Sc Zoology degree by the departmental officers through distance mode of education from illegal franchisees of Vinayaka Mission Salern Tamilnadu. The vigilance report is still awaited*

*It is also pointed out that even the officers who acquired M Sc Fisheries as regular course were not eligible for further promotion/ recruitment as per old service rules (1999) of Fisheries Department. One Sh Gajender Singh had to seek the help of Hon ble Punjab & Haryana High Court vide CWP No 4422 of 2012 titled as Gajender Singh V /s State of Haryana for consideration of his regular M Sc Fisheries Degree as equivalent to M Sc Zoology specified in Haryana Fisheries Rules (1999) for consideration of his candidature for interview for direct recruitment to the post of District Fisheries Officer and in another case the regular M Sc Fisheries Degree of Sh Dhannender Singh DFO (HQ) has been challenged vide CWP No 9142 of 2014 Sh Sanjay Yadav Vs State of Haryana that the M Sc Fisheries Degree is not as per Haryana Fisheries Service Rules (1999) and he is not eligible for the interview to the post of Deputy Director Fisheries. Both Sh Gajender Singh and Sh Dhannender Singh DFO (HQ) who have acquired regular M Sc Fisheries degree got deprived of the chance for direct recruitment due to old Service rules (1999) and Fisheries Department had to face unnecessary litigation in this regard whereas it is pertinent to mention that M Sc Fisheries Degree is of much more higher standard in Fisheries in comparison to simple degree of M Sc Zoology*

As per Haryana Fisheries Department State Services Group B Rules the prescribed qualification for direct recruitment to the post of District Fisheries Officer (Class-II) is M Sc Zoology with specialization with Fish & Fisheries therefore the same has also been incorporated for the Class I posts in the amended service rules 2016 Hence there is nothing wrong in the amendment

Secretary HPSC Panchkula vide Letter No RG 5012011/1349 dated 02- 07-2015 (Photo Copy enclosed) also suggested that some amendment regarding to the word equivalent in the prescribed qualification be removed or elaborated to overcome the difficulties and ambiguities in the process of recruitment

Hence it was in the interest of the Department to amend the Haryana

Fisheries Department State Service Group A Rules (1999) and also to avoid litigations and to provide best Human Resources of of Fisheries background academic qualifications

Keeping in view the above facts amendments have been made after considering laudable aims and objectives for betterment of the Department and after obtaining kind approval and sanction of all the higher authorities i.e the Hon ble Chief Minister Hon ble Agriculture Minister Worthy Chief Secretary Finance Department Haryana Public Service Commission Learned Legal Remembrancer and Council of Ministers Haryana

3 It is the prerogative of the Government to amend the rules for better administration and amendment The change in the law of nature and the qualification laid down in the amendment is the need of the hour in the interest of administration and development of the Department It is pertinent to mention here that before making any amendment in the Haryana fisheries Service Rules the Govt has neither considered the percentage/ caste communities of officers who have acquired M Sc degree from distance mode nor considered the percentage/ caste communities of officers who have acquired through regular mode but have only considered laudable aims and objectives for betterment of the Department and after obtaining kind approval and sanction of all the higher authorities and it is also submitted here that it has been noticed that the officers/ employees who have obtained Master's degree programmes have made many irregularities such as (i) that many employees have not taken the Migration Certificate from their previous university which is the requirement of an admission to any other University than the previous one for further course (ii) that many employees have not attended the contact programmes and have not given any practical exam during their course They even could not submit the documents/ information in this regard as asked by the department

There is not a single Govt policy which is biased enough to benefit any special caste/community against rules/ law The higher authority has power to deal with the qualifications obtained by the persons from two types of institutions If the course of study training and examinations to obtain a recognized qualification from any authority in any State are not upto the mark in terms of



the Regulations framed under the Act the higher authority after considering all the pros and cons of all concerned may order that the particular qualifications shall be or shall not be recognized. In other words the qualification shall be de-recognized for the purpose of better administration and human resources needed for the Department.

It is also pertinent to mention here that no inconsistency has been made in amending the rules as the amendment was the need of the hour.

It is stated that each and every Govt. Department has to follow rules and regulations, seniority of employees, qualifications etc. for promotions/recruitments of officers which is not possible and cannot be provided to few and selected officials belonging to a particular community. Hence the point raised in the complaint is totally baseless. It is again stated that the Rules have been amended after considering laudable aims and objectives for betterment of the Department after following due procedure and after obtaining kind approval and sanction of all the higher authorities.

The said Rule 2016 was notified in Extra Ordinary Haryana Govt. Gazette on date 9th March 2016 (Copy enclosed). It is also submitted that it is the need of the Department to have Officers with qualification of Fisheries Background for suitability and for getting the best talented persons as its officers and the Govt. has prerogative to choose which academic qualification is the need of the hour for better human resource administration and development of the Department in modern age to cater the need for Fisheries Department development as a whole.

The learned AG Haryana being competent authority has tendered advice in the sub-judice matter that in view of the judgment passed by the Hon'ble Division Bench in Kartar Singh's case holding the degrees obtained through Distance Education Mode from deemed Universities as illegal and the order dated 02-11-2015 staying the operation of the order in Gurmail Kaur's case by in LPA No. 1215 of 2015, hence the promotion case of Sh. Mahender Singh Ahlawat and other officers who have obtained their degrees from the deemed Universities should be kept in abeyance till the decision of the Hon'ble Supreme Court in the SLP in Kartar Singh Case.

In addition it is pertinent to mention here that the matter is subjudiced in the Hon'ble Punjab & Haryana High Court vide CWP No. 12663 of 2016 Balbir Singh & Others vs. State of Haryana & others.

In view of the submissions made above the present grievance is devoid of any merit. Therefore the Govt. is respectfully prayed that the present grievance may kindly be disposed of.

Encls. As stated

Director Fisheries Department  
Haryana Panchkula

Endst No EA 1-2016/860

Panchkula dated 15-7-2016

A copy of above is forwarded to the Principal secretary to Govt of Haryana Fisheries Department for information

Director Fisheries Department  
Haryana Panchkula

The Committee considered the departments reply in its meeting held on 7-2-21 and as per the department reply the matter is pending in Court Therefore Committee is of the view that since the matter is subjudice and the Committee can't interfere in the subjudice matter Therefore Petition is disposed off accordingly

23 PETITION RECEIVED FROM SH RAJESH JAIN, REPORTER, OLD CENTRAL BANK GALI, SAMALKHA, DISTT PANIPAT REGARDING ALLOW MS CHINKI JAIN TO TAKE EXAM

The Petition received from Sh Rajesh Jain reads as under -

सेवा मे

मानयवर चैयरमैन  
पेटिशन कमेटी  
हरियाणा विधान सभा चण्डीगढ।

विषय मेरी लडकी को न्याय दिलवाने बारे।

आदरणीय श्रीमान जी

निवेदन है कि आपने हरियाणा प्रदेश के पानीपत जिला से एक अभियान बेटी बचाओ बेटी पढ़ाओ की शुरुआत की थी जिससे हरियाणावासियों को उनकी लड़कियों का भविष्य उज्ज्वल नजर आने लगा था। लेकिन हरियाणा में कुछ आसे निजि कालेज भी है जो लड़कियों को शिक्षा देने के बजाए पैसों को तबज्जो देते हैं। ऐसा ही एक निजि पार्ट कालेज पानीपत जिला के गांव पट्टीकल्याण में चल रहा है। इस कालेज की एक विशेषता यह है कि वह छात्रों से कम हाजरी के नाम पर हजारों रुपये वसूल करता है। इस कालेज की एक विशेषता यह है कि वह छात्रों से कम हाजरी के नाम पर हजारों रुपये वसूल करता है अगर कोई छात्र रुपए जमा नहीं करवाता है तो उस फाईल परीक्षा में बैठने नहीं दिया जाता जिस कारण छात्र का तीन वर्ष का समय बेकार हो जाता है और वह मायूस होकर पढ़ाई छोड़ देता है।

ऐसी ही घटना मेरी लड़की चिकी जैन पुत्री राजेश जैन वासी समालखा जिला पानीपत हरियाणा के साथ हुई है। मेरी लड़की चिकी जैन गांव पट्टीकल्याण स्थित पार्ट कालेज में बीबीए फाईनल ईयर की छात्रा है। मेरी पत्नी की अचानक मौत हो जाने के कारण परिवार की जनम्मेदारी मेरी लड़की चिकी जैन पर आ जाने के कारण वह इस बार कालेज में कुछ कम जा पाई। जबकि पिछले वर्षों में उसकी हाजरी पूर्ण थी। मेरी लड़की ने बार बार जब बीबीए फाईनल ईयर की परीक्षा का रोल नम्बर बार बार मांगा तो उसे जवाब मिलता कि वह परीक्षा शुरू होने वाले दिन दे दिया जाएगा। मैं और मेरी लड़की चिकी जब कालेज गए और

रोल नम्बर की मांग की तो उन्होंने रोल नम्बर देने से यह कहते हुए मना कर दिया कि तुम्हारी हाजरी कम है और उस परीक्षा में बैठने नहीं दिया गया। जिस कारण मेरी लड़की चिकी का तीन वर्ष का भविष्य अधकार में चला गया तथा वह मानसिक रूप से परेशान रहने लगी है। जिसकी जिम्मेदार पाईट कालेज की प्रबंधक समिति है। कम हाजरी वाले अनेक उन छात्रों को परीक्षा में बैठने दिया गया जिन छात्रों ने कालेज में दस से पचास हजार रुपए जमा करवा दिए।

मेरे पास अगर हजारों रुपये कालेज वालों को देने के लिए होते तो मेरी लड़की भी परीक्षा दे पाती। क्योंकि मैं एक गरीब पत्रकार हूँ। मेरे पास न तो कोई बैंक बलेन्स है और न ही इस धरती पर एक गज जमीन है। जिस दिन आपने पानीपत की ऐतिहासिक धरती से बेटी बचाओ बेटी पढ़ाओ की शुरुआत की थी उस दिन मेरे जैसे लाखों लोगो ने सपना देखा होगा कि अब उनकी लड़की पढ़ाई में पिछे नहीं रहेगी। उन सबके सपनों को सिर्फ आप ही पूरा कर सकते हैं।

अतः आपसे प्रार्थना है कि गांव पट्टीकल्याणा स्थित पाईट कालेज के खिलाफ जाच करवाई जाए तथा मेरी लड़की को परीक्षा देने का हक दिलवाया जाए।

धन्यवाद सहित।

भवदीय

राजेश जैन पत्रकार  
पुराना सैट्रल बैंक गली समालखा  
जिला पानीपत

हरियाणा।

*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 Director Panipat Institute of Engineering & Technology Samalkha vide their Memo No PIET/15/14744 dated 12 08 2015 which reads as under-*

*The Principal Secretary  
Haryana Vidhan Sabha Secretariat  
Sector-1 Chandigarh*

**Subject —Permission for Ms Chinky jain to take University exam**

Sir

*Kindly refer to your office letter no HVS/Petition/15-16/12161 dated 5th Aug 2015 regarding permission to Ms Chinky Jain to take BBA 3rd year University Examination and complaint of Sh Rajesh jain Correspondant Old Central Bandk Gali Samalkha*

The allegation of the complainant for realization of extra money in thousands to make a student appear in final exam is totally unfounded baseless and far from truth. We consider this complaint as frivolous and totally biased in the absence of any supporting documents as a proof. It may be mentioned by the complainant in his capacity as Correspondant published news in the News paper making defamatory remarks against the Institute.

Regarding non issue of admit card to the complainant's daughter Ms Chinky Jain who was studying in BBA 3rd year was not issued Admit Card due to her non fulfilling the requirement of 75% lectures during the semester as prescribed by the University Ordinance Rule-7 1 (ii) which is produced below

(A) xxxxx

(b) xxxxx

(c) xxxxx

(i) xxxxxx

(ii) of having attended not less than 75% of the full course of lectures delivered in each paper in each semester (the course to be counted up to the day before the commencement of examination)

Provided that a candidate who has not attended the requisite percentage of lectures shall not be eligible to take the Semester Examination in the concerned papers and obtains requisite attendance

Ms Chinky Jain attended only 14% lectures whereas the University required minimum of 75% lectures. The Institute informed the Controller of Examination includes the name of Ms Chinky Jain vide office letter no PIET/1514167 dated 30-4-2015 (copy enclosed for your ready reference). The Institute always observe the Provisions of prescribed ORDINANCE of Kurukshetra University Kurukshetra.

Any other information required from us will be immediately sent to your office.

Thanking You

Yours Sincerely

Director

Panipat Institute of Engg & Technology  
Patti Kalyana (Samalkha)

D A As stated above

The Committee considered the Institutes reply in its meeting held on 7-2-2017 and committee satisfied with the reply. Petition is disposed off accordingly.

**24 PETITION RECEIVED FROM SH RAGHBIR SINGH, VILL SAMASPUR  
GAMARA, P O KHUBR, TEHSIL GANAUR, DISTT SONEPAT,  
REGARDING COMPLAINT AGAINST TEHSILDAR, PARTWARI ETC,  
GANAUR SONEPAT**

*The Petition received from Sh Raghbir Singh reads as under -*

सेवा मे

चैयरमेन

याचिका सिमित

हरियाणा विधान सभा चण्डीगढ।

**विषय** दरखास्त बाबत किये जाने कानूनी कार्यवाही बरखिलाफ रामप्रकाश कृष्ण लाल सुभाष चन्द्र पुत्रान काशी राम पुत्र गणपतराय निवासीगण गाव पाचीगुजरान तहसील गन्नीर जिला सोनीपत जुगल किशोर पुत्र देशराज पुत्र टिकाया राम राज रानी पत्नी देश राज पुत्र टिकाया राम कैलाश रानी पत्नी काशी राम पत्र टिकाया राम श्रीमती दर्शना रानी पत्नी नन्दलाल पुत्र टिकाया राम श्री राजेन्द्र सिंह अहलावत जिला राजस्व अधिकारी तथा श्री जिवेन्द्र सिंह पटवारी (हाल नायब तहसीलदार सोहना) के विरुद्ध अनुशासनिक कार्यवाही करने बारे।

श्रीमान जी

निवेदन यह है कि मैं रघबीर सिंह पुत्र श्री अमेराम गाव समसपुर गामडा पोस्ट ओफिस खुबडु तहसील गन्नीर जिला सोनीपत का निवासी हूँ। मैंने 5 कनाल 6 मरले कृषि भूमि सोसायटी गार्डन कालोनी पाच गजरान मे दिनांक 13 11 2007 को खरीद की हुई है। जनके इन्तकाल मेरे नाम दर्ज व मन्जुर होचुके है। रामप्रकाश कृष्णलाल सुभाष चन्द्र पुत्र काशीराम ने महकमा माल से राज बाज करके फर्जी बयानामा द्वारा रजिस्ट्रीशुदा नम्बर 1040 दिनांक 24 7 1967 की रूह से एक फर्जी इन्तकाल न0 4882 दर्ज व मजुर करवा लिया जबकि रजिस्ट्री न0 1040 दिनांक 24 7 1967 की रूह स एक फर्जी इन्तकाल न0 4882 दर्ज करवा लिया जबकि रजिस्ट्री न0 1040 दिनांक 24 7 1967 गाव जाखोली तहसील व जिला सोनीपत के रकबे की है और इन्तकाल न0 4882 गाव पाची गुजरान से सम्बन्धित है जोकि गैर कानूनी ढग से अपने आपको माली फायदा पहुचाने के लिए करा लिया है जो सरसर घोखाधडी है। जाच अधिकारी ने जाच रिपोर्ट मे निष्कर्ष दिया है कि इन्तकाल न 4882 व 4976 वास्तव मे दस्तावेज न0 1040 दिनांक 24 7 1967 तथा दस्तावेज न0 1056 दिनांक 25 9 1985 की रूह से रिकार्ड माल के अनुसार बिल्कुल गलत दर्ज व मन्जुर हुए है। उस समय पटवारी श्री जिवेन्द्र सिंह तथा श्री राजेन्द्र सिंह तत्कालीन तहसीलदार गन्नीर कार्यरत थे।

इसके साथ तहसीलदार से लेकर एफ0सी0आर0 तक की रिपोर्ट सलग्न है। हमन कई बार अधिकारियों को इनके खिलाफ कारवाई करने के लिए शिकायत की लेकिन अभी तक कोई कार्यवाही नहीं हुई। अत श्रीमान जी आपसे अनुरोध है कि इन सब ने मिलकर जो गलत तरीके से काम किया है। उसके खिलाफ सख्त व पुलिस कारवाई की जाए।

धन्यवाद।

भवदीय

(रघबीर सिंह)

गाव समसपुर गामडा जिला सोनीपत।

*The Petition was placed before the Committee in its meeting held on 03 05 2016 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 Additional Chief Secretary Haryana Revenue & Disaster Management Department Haryana vide their letter No 1040-s-5 2016/6624 dated 12 07 2016 which reads as under-*

प्रेषक

अतिरिक्त मुख्य सचिव एवं वित्तायुक्त हरियाणा सरकार

राजस्व एवं आपदा प्रबन्धन विभाग।

विषय श्री रघुवीर सिंह की याचिका बारे।

मुझे निर्देश हुआ है कि मैं आपका ध्यान आपके पत्र क्रमांक एच0वी0एस0/पेटिशन/477/16 17/ 8454 दिनांक 11 5 2016 के सदर्थ में सूचित किया जाता है कि महानिदेशक भू अभिलेख हरियाणा पंचकूला ने अपने पत्र दिनांक 15 12 2011 द्वारा सूचित किया था कि विषयाधीन शिकायत की जाच उपायुक्त सोनीपत द्वारा उप मण्डल अधिकारी (ना0) सोनीपत से करवाई गई है। जाच रिपोर्ट में पाया गया था कि की मुलजिम नम्बर 1 से 3 (राम प्रकाश कृष्ण लाल सुभाष चन्द्र पुत्रान काशी राम) ने महकमा माल से साज बाज करके फर्जी बयानामा बजरिये रजिस्ट्रीशुदा नम्बर 1040 दिनांक 24 7 1967 की रूह से एक फर्जी इन्तकाल न0 4882 दर्ज व मन्जूर करवा लिया जबकि रजिस्ट्री न0 1040 दिनांक 24 7 1967 गाव जाखोली तहसील व जिला सोनीपत के रकबे की है और इन्तकाल न0 4882 गाव पाचीगुजरान से सम्बन्धित है जोकि गैर कानूनी ढंग से अपने आपको माली फायदा पहुंचाने की रूह से करा लिया है जो सरासर धोखाधड़ी है। जाच अधिकारी ने जाच रिपोर्ट में निष्कर्ष दिया था कि इन्तकाल न0 4882 व 4976 वास्तव में दस्तावेज न0 1040 दिनांक 24 7 1967 तथा दस्तावेज न0 1056 दिनांक 25 9 1985 की रूह से रिकार्ड माल के अनुसार बिल्कुल गलत दर्ज व मन्जूर हुए हैं जिसके कारण प्रार्थी श्री रघवीर सिंह को वास्तव में माली नुकसान पहुंचाने की कोशिश की गई है जो नीयत पर सन्देह उत्पन्न करते हैं तथा दूसरे पक्ष से साज बाज करने का सन्देह पैदा करते हैं जाच में श्री राजेन्द्र सिंह अहलावत तहसीलदार (हाल जिला राजस्व अधिकारी सेवानिवृत्त तथा श्री जिवेन्द्र सिंह पटवारी (हाल नायब तहसीलदार सोहना) को दोषी पाया गया है तथा उनके विरुद्ध अनुशासनिक कार्यवाही करने की सिफारिश की थी।

श्री राजेन्द्र सिंह अहलावत जिला राजस्व अधिकारी (सेवानिवृत्त) को उक्त मामले में दोषी बताया गया था परंतु अधिकारी 30 6 2012 को सेवानिवृत्त हो गये तथा मामला चार वर्ष से अधिक पुराना होने के कारण हरियाणा सिविल सेवाए (दण्ड एवं अपील) नियमावली 1987 के तहत किसी प्रकार की अनशानिक कार्यवाही नहीं हो सकती थी।

इसी मामले में श्री जिवेन्द्र सिंह तत्कालीन पटवारी अब तहसीलदार को मैजर पैनल्टी के तहत हरियाणा सिविल सेवाए (दण्ड अपील) नियमावली 1987 के नियम 7 के तहत विभाग के ज्ञापन क्रमांक 1371 स्था 5 2013/14630 दिनांक 07 8 2015 द्वारा मामले में आरोपित किया गया था। (प्रति सलग्न) मामले में नियमित विभीगीय जाच करवाई गई जिसमें जाच अधिकारी द्वारा आरोपो का सिद्ध होना नहीं बताया

था तदोपरान्त मामले में सक्षम प्राधिकारी ने जाच अधिकारी की जाच रिपोर्ट से सहमत होते हुए मामले में जारी आरोप पत्र को दिनांक 18 4 2016 द्वारा ड्राप किया जा चुका है।

उक्त आपकी सेवा में सूचनार्थ एव आवश्यक कार्रवाही हेतु प्रेषित है।

भवदीय

अधीक्षक स्थापना

कृते अतिरिक्त मुख्य सचिव एव वित्तियुक्त हरियाणा सरकार  
राजस्व एव आपदा प्रबन्धन विभाग।

*The Committee considered the Department's reply in its meeting held on 7-2-2017 and committee satisfied with the reply Petition is disposed off accordingly*

**25 PETITION RECEIVED FROM SH SATBIR SINGH S/O SH RICHPAL SINGH R/O VILL MP ROHI, TEHSIL & DISTT FATEHABAD, REGARDING VARIOUS GRIEVANCES OF PETITIONER**

*The Petition received from Sh Satbir Singh reads as under -*

सेवा में

माननीय चैयरमैन

पेटिशन कमेटी

हरियाणा विधान सभा चण्डीगढ़।

**विषय** दरखास्त बाबत किये जाने कानूनी कार्यवाही बरखिलाफ मगताराम पुत्र रामस्वरूप बा हवासिह पुत्र भोलाराम निवासी एमपी रोही तहसील वा जिला फतेहाबाद ना मानने आदेश उपायुक्त फतेहाबाद प्रार्थी के घर की जलनिकासी रुकावट को हटवाने के बाद उपरोक्त दोषी मगताराम जलनिकासी रुकावट को हटवाने के बाद उपरोक्त दोषी मगताराम द्वारा पुन नालियो में मिटटी डालकर आवागमन में अवरोध पैदा करने के खिलाफ।

श्रीमान जी

निवेदन है कि प्रार्थी सतबीर पुत्र रिछपाल निवासी गांव एमपी रोही तहसील वा जिला फतेहाबाद का सओथायी निवासी हूँ और अमन पसद वा कानून को मानने वाला हूँ और श्रीमानजी से निवेदन करता हूँ कि

1 यह कि प्रार्थी का मकान गांव एमपी रोही की गली नंबर 507 में स्थित है। इस गली के आधे हिस्से पर कुछ प्रभावशाली लोगो ने कब्जा कर रखा था। इस कब्जा बारे प्रार्थी ने सीएम विन्डो की मार्फत मुख्यमंत्री महोदय को दरखास्त दी थी। जिस पर आपने अपने पत्र क्रमांक 639 दिनांक 2 2 2015 के जरिये उपतहसीलदार फतेहाबाद को ड्युटी मजिस्ट्रेट नियुक्त किया था और एसडीएम फतेहाबाद को इस बाबत रिपोर्ट पेश करने के आदेश दिए थे और पुलिस कप्तान को भी अपने पत्र क्रमांक 3331 दिनांक 2 2 2015 को बीडीपीओ फतेहाबाद को तुरत आवश्यक कार्रवाई करने निर्देश जारी कर दिए थे।

2 यह कि दिनांक 13 3 2015 को उपतहसीलदार फतेहाबाद ने पुलिस दल बल सहित गांव एमपी रोही तहसील वा जिला फतेहाबाद मे जाकर उक्त गली से दोषियो द्वारा किए गए कब्जे को हटवा दिया था।

3 यह उपरोक्त अधिकारियो द्वारा की गई कार्रवाई के लिए प्रार्थी उनका शुक्रगुजार है लेकिन महोदय दोषी मगताराम पुत्र रामस्वरूप जो कि प्रार्थी का घर पड़ोसी है और उसने उपरोक्त कब्जा हटवाने के तुरत बाद जब प्रशासन वापस फतेहाबाद आ गया तो पुलिस के सामने ही ट्रैक्टर ट्रालियो से वहा फिर से मिटटी डलवा दी और गली के आवागमन मे अवरोध पैदा कर दिया।

4 यह कि जब प्रार्थी ने पुलिस प्रशासन से उपरोक्त दोषी मगताराम को मिटटी डालने सो रोकने की गुहार की तो उन्होने प्रार्थी से कहा कि वे इस बारे मे कुछ नहीं कर सकते। आप बीडीपीओ फतेहाबाद से प्रार्थना करे। जब प्रार्थी बीडीपीओ कार्रवाई करने का आश्वासन दिया।

5 यह कि उपरोक्त दोषी मगताराम ने पिर से गली मे मिटटी डलवाकर आपके आदेशो की अवहेलना की है इसलिए आप बीडीपीओ फतेहाबाद को निर्देश जारी कर उपरोक्त दोषी मगताराम के खिलाफ कडी कार्रवाई की जावे और प्रार्थी का कब्जा हटवाया जावे।

6 यह कि इस बाबत प्रार्थी ने एक दरखास्त सरपच ग्राम पचायत मोहम्मदपुर रोही तहसील वा जिला फतेहाबाद को भी दी थी। जिस पर गांव के सरपच सुभाष चन्द्र वा अन्य सदस्यो ने मौके का निरीक्षण किया और उपरोक्त गली नंबर 507 मे उपरोक्त दोषी मगत राम पुत्र रामस्वरूप तथा हवासिह पुत्र भोलूराम द्वारा नालियो मे अत्यधिक मिटटी डालकर अवरोध पैदा करने की पुष्टी की है। इस सबध मे ग्राम पचायत के सरपच सुभाष चन्द्र ने दिनांक 7 4 2015 को एक पत्र थाना प्रबधक सदर थाना फतेहाबाद को लिखकर उपरोक्त दोषियो के खिलाफ सार्वजनिक आवागमन मे बाधा उत्पन्न करने का केस दर्ज करने की सिफारिश की है। ग्राम पचायत ने पुलिस से यह भी अनुरोध किया है कि पुलिस अपनी मौजूदगी मे पुन नालियो का अवरोध हटवावे। जिसकी फोटो कॉपी साथ सलग्न है। सदर थाना फतेहाबाद द्वारा सरपच द्वारा दिए गए पत्र की रसीद की फोटो कॉपी सलग्न है।

7 यह कि महोदय बड़े बड़े सरकारी अधिकारियो की गई कार्रवाई के बावजूद भी अभी तक उपरोक्त दोषियो ने गली का कब्जा नहीं हटाया है। इस सबध मे सरपच ग्राम पचायत मोहम्मदपुर रोही द्वारा सदर फतेहाबाद पुलिस को लिखे गए पत्र के बावजूद भी पुलिस ने अभी तक इस सबध मे कोई कार्रवाई नहीं की है। जबकि प्रार्थी का जीवन नर्क से भी बदतर बना हुआ है। इस सबध मे समाचार पत्रो मे भी काफी समाचार पत्रो मे भी काफी समाचार प्रकाशित हुए जिनकी फोटो कॉपी भी साथ सलग्न है।

अत दरखास्त पेश कर अर्ज है कि सरकारी अधिकारियो के आदेशो की अवहेलना करने और कब्जा हटवाने के तुरत बाद फिर से मिटटी डालने तथा नालियो मे मिटटी डालकर सार्वजनिक आवागमन मे अवरोध पैदा करने के आरोप मे दोषी मगताराम पुत्र रामस्वरूप और हवासिह पुत्र भोलूराम निवासी एमपी रोही तहसील वा जिला फतेहाबाद के खिलाफ कडी कार्रवाई की जावे। आपकी अति कृपा होगी।

दिनांक 18 4 2015

प्रार्थी

सतबीर सिंह पुत्र रिछपाल सिंह  
गांव एमपी रोही जिला फतेहाबाद।



*The Petition was placed before the Committee in its meeting held on 27 05 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 orally examined the Deputy Commissioner Fatehabad and the Petitioner in its meetings held on 11 08 2015 in which Deputy Commissioner Fatehabad informed the committee that FIR was already lodged by Sarpanch in this regard and further action in the petition will taken according to the direction of the court*

*The Committee re considered the petition in its meeting held on 07 02 2017 and committee observed that matter has been already taken by district administration Therefore Petition is disposed off accordingly*

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