

HARYANA VIDHAN SABHA

COMMITTEE ON PETITIONS

(2021-2022)

(ELEVENTH REPORT)

REPORT

on

Various Petitions/Representations received by
the Committee



(Presented to the House on 22nd March, 2022)

HARYANA VIDHAN SABHA SECRETARIAT
CHANDIGARH
2022

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REPORT

The Committee on Petitions for the year 2021-22 consisting of Nine Members were nominated by the Hon'ble Speaker, Haryana Vidhan Sabha on 26th March, 2021 under Rule 268 of the Rules of Procedure and Conduct of Business in Haryana Legislative Assembly. Shri Ghanshyam Dass Arora, MLA was nominated as Chairperson of the Committee by the Hon'ble Speaker. Two special invitees were also nominated by the Hon'ble Speaker to serve on this Committee.

The Committee held 41 sittings during the year 2021-22 (till finalization of the Report).

**COMPOSITION OF THE COMMITTEE ON PETITIONS
(2021-2022)**

CHAIRPERSON

1. Shri. Ghanshyam Dass Arora, MLA

MEMBERS

2. Shri. Jagbir Singh Malik, MLA,
3. Smt. Geeta Bhukkal, MLA
4. Smt. Shakuntla Khatak, MLA
5. Shri Leela Ram, MLA
6. Shri. Laxman Singh Yadav, MLA
7. Shri. Sanjay Singh, MLA
8. Shri. Ram Niwas, MLA
9. Shri. Balraj Kundu, MLA

SPECIAL INVITEE

- *10. Shri. Bishan Lal Saini, MLA,
- **11. Shri Ram Kumar Kashyap, MLA

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- * Vide notification No. HVS/Petitions/1/2021-22/50, dated 30th June, 2021. The Hon'ble Speaker has been pleased to nominate Shri Bishan Lal Saini, MLA to serve the Committee on Petitions as a special Invitee for the remaining period of the 2021-22.
- ** Vide notification No. HVS/Petitions/1/2021-22/60, dated 11th August, 2022. The Hon'ble Speaker has been pleased to nominate Shri Ram Kumar Kashyap, MLA to serve the Committee on Petitions as a special Invitee for the remaining period of the 2021-22.

SECRETARIAT

1. Shri Rajender Kumar Nandal, Secretary
2. Shri Pushpender, Under Secretary

INTRODUCTION

1. I, Ghanshyam Dass Arora, Chairperson of the Committee on Petitions having been authorized by the Committee in this behalf, present this Eleventh Report of the Committee on Petitions on the various petitions/ representations received by the Committee.
2. The Committee considered all the petitions/representations 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/ applicants to the maximum extent.
3. The Committee considered and approved this report at its sitting held on 22nd February, 2022.
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 Secretary, Under 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 22nd February, 2022

(GHANSHYAM DASS ARORA)
CHAIRPERSON

1. **PETITION/REPRESENTATION RECEIVED FROM SHRIDURGADUTT ATTRI, EX-MLA, H.NO.450-A, SECTOR-4, PANCHKULA REGARDING REGARDING NON-IMPLEMENTATION OF THE HARYANA LEGISLATIVE ASSEMBLY (SALARY ALLOWANCES AND PENSION OF MEMBERS) AMENDMENT ACT 2019, WHICH READS AS UNDER:—**

सेवा में,

माननीय चेयरमैन साहब,
याचिका समिति,
हरियाणा विधानसभा, चण्डीगढ़।

Subject: Regarding non-implementation of the Haryana Legislative Assembly (Salary, Allowances and Pension of Members), Amendment Act (Haryana Act No. 15 of 2019).

श्रीमान जी,

मैं आपका ध्यान एक अतिआवश्यक विषय की तरफ लाना चाहता हूँ। यह एक ऐसा विषय है कि शायद ही ऐसा कभी हरियाणा में हुआ हो। साल —2019 में एक बिल हरियाणा विधानसभा से पारित हुआ जिसकी Notification 13th March, 2019 को हो गई जो कि Act no. 15/2019 जिसका विषय था “The Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Amendment Act Be it enacted by the Legislature of the State of Haryana in the Seventieth year of the Republic of India as follows :—

- (1) This Act may be called the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Amendment Act 2019.
- (2) For Clauses (a) and (b) of Section 7C of the Haryana Legislative Assembly (Salary Allowances and Pension of Members) Act 1975, the following clauses shall be substituted, namely:-
 - “(a) One free non-transferrable pass which shall entitle him to travel at anytime by any public service vehicle of the State Transport Department including deluxe coach, air conditional coach and volvo buses.
 - (b) a facility, on attaining the age of sixty years of more, to take with him a person as an attendant for free journey in any public service vehicle of the State Transport Department including Volvo Buses etc.”

जब बिल पास होने के बाद उसकी गजट नोटिफिकेशन हो जाती है तो वह उसी दिन से लागू माना जाता है। लेकिन हरियाणा रोडवेज पर इसका कोई असर नहीं हुआ और उन्होंने यह Act लागू नहीं किया जब भी कोई 60 साल से अधिक का पूर्व विधायक volvo bus में अपने Attendant को साथ लेकर जाता है तो उसकी टिकट काट दी जाती है। जब मेरे साथ भी ऐसा हुआ तो मैंने बस के कंडक्टर को बोला की आप टिकट नहीं काट सकते जबकि मैंने उसे नोटिफिकेशन की कॉपी भी

दिखाई लेकिन वह नहीं माना और टिकट काट दी, दो तीन बार मेरे साथ ऐसा होने पर मैंने Transport Department में 30.12.2019 को एक RTI लगाई और पूछा कि क्या Notification No. Leg 15/2019 dated 13th March 2019 आपके Department में लागू है या नहीं। जिसका जवाब SPIO Cum Sr. AO O/o DG State Transport द्वारा Memo No. 224/A2/ACC Dated 15.01.2020 को दिया जिसमें उन्होंने मुझे सूचना दी कि:-

“It is intimated that Notification dated 13/12/2019 issued by the Haryana Government. law and Legislative Department. Is not applicable for Ex-MLA's & Ex-MP's. यह जवाब पढ़ कर मुझे बहुत आश्चर्य हुआ। परिवहन विभाग द्वारा नोटिफिकेशन को न मानना बहुत गम्भीर मामला है। इस विषय में फिर मैंने एक पत्र माननीय अध्यक्ष महोदय हरियाणा विधानसभा को लिखा। माननीय अध्यक्ष महोदय जी ने मामले को बहुत गम्भीरता से लेते हुए मामले को Subordinate Legislative Committee में भेज दिया। यह सारा मामला Subordinate Legislation की Meeting dated 29-01-2020 में discuss हुआ और Committee द्वारा एक पत्र Chief Secretary Haryana (Political Branch) व दूसरा पत्र The Principal Secretary to Government हरियाणा परिवहन विभाग को दिनांक 3 फरवरी, 2020 भेज कर इन दोनों से केस की factual position के बारे में पूछा, जिसके जवाब में मुख्य सचिव हरियाणा की तरफ से Memo No. 21/12/2013-3 Pol dated 12th February, 2020 के द्वारा विधानसभा को सूचना दी कि “It is intimated that after adopting due procedure is the approval/vetting/concurrence of the CM Ld. LR Haryana and Finance Department. The draft of amended bill was sent to Hon'ble Governor for his recommendation and same was recommended by the Hon'ble Governor Accordingly, after signature of Parliamentary Affairs Minister Haryana the bill was sent to Haryana Vidhan Sabha for introduction and consideration in the session thereafter consideration the bill in Haryana Vidhan Sabha bearing bill No. 15-HLA of 2019 the bill was again sent to Hon'ble Governor Haryana by Law and Legislative Department for grating his assent. Accordingly, the bill was sent to Controller, Printing and Stationery Department. Haryana for publishing the said Act in the Haryana Government Gazette (extraordinary) by the Codification and Publication officer of Law and Legislative Department. Which has already been published vide Notification dated 13th March, 2019 so the Published Notification in Haryana Government Gazette (Extraordinary) shall have to be implemented by the Transport Department. दूसरा जवाब परिवहन विभाग से यादी क्रमांक 19.01.2020 2 परि(II) दिनांक 12.02.2020 द्वारा विधानसभा में भेजा जिसमें उन्होंने लिखा कि :-

“विषयोक्त मामले में आपको सूचित किया जाता है कि निदेशक राज्य परिवहन विभाग हरियाणा ने सूचित किया कि अधिसूचना दिनांक 13.03.2019 विभाग में प्राप्त न होने के कारण उस पर अब तक कोई कार्यवाही नहीं की जा सकी है। अब विभाग को निर्देश दिये जा रहे हैं कि अधिसूचना दिनांक 13.03.2019 पर सक्षम प्राधिकारी से अनुमोदन के उपरान्त शीघ्रातिशीघ्र कार्यवाही करना सुनिश्चित करें। कार्यवाही होने के उपरान्त आपको उसकी रिपोर्ट भेज दी जायेगी। उस पत्र की एक कॉपी उन्होंने Chief Secretary Haryana (Political Branch) सूचनार्थ भेजी।”

लेकिन काफी समय बीत जाने के बाद भी यह नोटिफिकेशन लागू नहीं हुई, फिर विधानसभा

की Subordinate Legislative Committee द्वारा दिनांक 26 जून 2020 को एक पत्र लिख कर Transport Department से Case की status report मांगी जिसके जवाब में Principal Secretary Transport Department द्वारा Memo no. 19/1/2020 2 T(II) dated 06.07.2020 को विधानसभा को सूचित किया गया कि:-

“Matter has been called in this regard it is intimate that approval of Hon’ble CM in this matter has been obtained and presently the case is pending with the Finance Department.”

मैं आपके सध्यान में यह बात लाना चाहता हूँ कि जब भी कोई बिल पास होता है तो यह सब approvals बिल पास होने से पहले ही ले ली जाती है जैसा कि मुख्य सचिव के पत्र के जवाब में लिखा हुआ है। यह सब अधिकारी अपनी गलती को छुपाने के लिए सरकार को गलत (misguide) कर रहे हैं और मामले को लटका रहे हैं। इस मामले की गंभीरता को देखते हुए मैंने एक अन्य पत्र इस बारे में माननीय अध्यक्ष महोदय को दिनांक 13.07.2020 को लिखा। माननीय अध्यक्ष महोदय ने इसे बहुत गंभीरता से लेते हुए तुरंत कार्यवाही करने का आश्वासन दिया।

अब मुझे विश्वसनीय सूत्र से यह पता चला है कि वित्त विभाग ने कोई Objection लगाकर फाईल परिवहन विभाग को भेज कर पूछा है कि 60 साल से उपर कितने पूर्व विधायक हैं। यह एक बहुत गम्भीर मामला है। यह सरकार को बदनाम करने के लिये अधिकारी अपनी मनमर्जी कर रहे हैं। इस मामले को गम्भीरता से लेते हुए जो अधिकारी उसमें दोषी हो वह सामने लाने चाहिये क्योंकि इनकी गलती से लगभग 500 से उपर के पूर्व विधायकों को बहुत परेशानी उठानी पड़ी है और ये कानून को पास करने वाली सरकार की छवि भी बहुत धूमिल हुई है। मेरा सरकार से निवेदन है कि ये सुनिश्चित किया जाना चाहिए कि कोई और ऐसी जनहित की नोटिफिकेशन हुई हों और अधिकारियों की गलतियों से लागू ना हुई हो। जो भी इसमें दोषी हो उसके खिलाफ विभागीय कार्यवाही होनी चाहिए और इस नोटिफिकेशन को जल्द से जल्द लागू करवाना चाहिए।

हस्ता
दुर्गा दत्त अत्री
पूर्व विधायक
मकान नं. 450 ए
सैक्टर-4, पंचकुला।

The petition/representation was placed before the Committee in its meeting held on 23.02.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. Thereafter, the Committee orally examined the departmental representatives and petitioner/applicant in its meeting held on 27.07.2021. The departmental representative stated that the amendment has been implemented and a copy of Notification sent to the all General Managers of all depots of Transport Department. The departmental representatives submit reply before the Committee, which reads as under:—

सेवा में,

सचिव
हरियाणा विधानसभा
चण्डीगढ़।

यादी क्रमांक 1008/ACCTT/ACC दिनांक 22.06.2021.

विषय:—Meeting of the Committee on Petitions.

उपरोक्त विषय पर आपके कार्यालय के पत्र क्रमांक HVS/Petitions/2/2021/10263-71 दिनांक 16.06.2021 के सन्दर्भ में आपको अवगत करवाया जाता है कि हरियाणा विधानसभा द्वारा पारित हरियाणा एक्ट नं० 15 ऑफ 2019 जिसकी नोटिफिकेशन दिनांक 13.03.2019 को जारी की गई थी कि स्वीकृति दिनांक 21.06.2021 से हरियाणा राज्य परिवहन विभाग के अन्तर्गत संचालित बसों में अनुपालना हेतु लागू कर दी गई है। जिसकी प्रति सभी महाप्रबन्धकों को पत्र क्रमांक 1006-07/लेखाकार/लेखा दिनांक 21.06.2021 द्वारा जारी की जा चुकी है।

यह पत्र आपको सूचनार्थ प्रेषित है।

हस्ता

मुख्य लेखा अधिकारी
कृते: निदेशक राज्य परिवहन,
हरियाणा, चण्डीगढ़।

After discussion, the Committee satisfied with the reply/commitment of the concerned department, in which the matter has been resolved. The petition/representation was disposed of accordingly in its meeting held on 22.06.2021.

2. **PETITION/REPRESENTATION RECEIVED FROM SHRI DEVENDER PAL SINGH & OTHERS S.C.O. NO. 200-201 SECTOR 17-C CHANDIGARH REGARDING COMPLIANCE OF CHIEF SECRETARY LETTER NO. 3/2/92 DATED 19TH FEBRUARY 2018 FOR EXECUTION OF FRESH LEASE AGREEMENT OF SCO NO.200-201, FIRST TO FOURTH FLOOR IN SECTOR 17-C, CHANDIGARH WHICH READS AS UNDER:—**

To

The Chairman,
Petition Committee,
Vidhan Sabha, Haryana,
Chandigarh.

Subject: Compliance of Chief Secretary Letter No-3/2/92 Dated – 19th Feb.2018 for execution of fresh lease agreement of SCO No-200-201, Ist to IVth Floor in

Sector 17 C Chandigarh in respect to office of Haryana Public Relations & Languages Department, Haryana.

Sir,

With humble request we want to stated that the said premises was given on rent vide lease agreement dated 19th July, 1989 and ending on dated 18.07.1992 for a monthly rent of Rs. 33860.40 only with a renewal of lease for a further period of three years at an increase of 15% i.e. Rs. 38939/- only per month ending on 18-07-1995. After that no increase has been given till 31st March, 2018. Moreover they have not paid any rent till date i.e December, 2019. Various meetings were called for finalization of rent agreement vide following letters issued for meeting by Deputy Director (Estt.) for Director General Information Public Relations and Languages Department, Haryana.

- (1) IPRDH(Estt-9)/2019/5966-79 dtd.08.03.2019 date of meeting 12.03.2019
- (2) IPRDH(Estt-9)/2019/7841-53 dtd.03.04.2019 date of meeting 09.04.2019
- (3) IPRDH(Estt-9)/2019/9178-90 dtd.22.04.2019 date of meeting 25.04.2019
- (4) IPRDH(Estt-9)/2019/23244-56 dtd.13.11.2019 date of meeting 15.11.2019
- (5) IPRDH(Estt-9)/2019/24258-75 dtd.22.11.2019 date of meeting 25.11.2019

We have given our consent letter on dated 26-04-2019 to your office & received vide no- 1481 did 26-04-2019 and hereby agreed to accept the rate of rent @ Rs.80/- (Rupees Eighty only) per sq. Ft. For the total area of 11676 sq. ft (Ist to IVth floor)+ GST, Municipal Tax other Statutory Taxes will be applicable extra on actual.

We are suffering huge losses by way of not finalizing the rent agreement. We are ready to execute a fresh lease deed without any further delay.

Therefore we request you to Kindly do the needful for finalizing of fresh lease agreement at the earliest. I shall be very thankful to you for the same and pay the monthly rent from 1st April, 2018 after finalization of fresh lease agreement & save me from mental & physical harassment.

Thanking You.

Yours faithfully

-Sd-

Devender Pal Singh & others
SCO No-200-201
Sector – 17C, Chandigarh.

The petition/representation was placed before the Committee in its meeting held on 23.12.2019 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 15 days. The Committee orally examined the departmental representatives and Petitioners/applicants in its various meetings. The departmental representative stated in meeting held on 23.02.2021 that our departmental procees is completed in this regard, so the payment will be done to the petitioners within 10 days. The compliance report was received from the concerned department, which reads as under:—

To

The Secretary
Haryana Vidhan Sabha,
Chandigarh.

Memo No. IPRDH(E-9)/2021/5138, dated Chandigarh 04.03.2021.

Subject: Compliance report in respect of petition/representation submitted by Sh. Devender Pal Singh & others, SCO 200-201, Sector-17C, Chandigarh.

Sir,

Please refer to your letter No. HVS/Petitions/2/2021/3633-40 dated, 19.02.2021 on the subject noted above.

In this regard, it is to inform you that this department has executed the fresh lease agreement with the owners of the office building SCO No. 200-201, Sector-17C, Chandigarh of this department. Further the payment of arrears of rent amounting to Rs. 1,66,21,259/- for the period from 01.04.2018 to 31.12.2020 in this respect of the said rented building has been paid to all the co-owners of the building cited as subject on dated 03.03.2021. The copy of the receipt of the rent received from the co-owners of the building.

This is for your information please.

Yours faithfully

-Sd-

Superintendent (Estt.)
For Director General,
Information, Public Relations
& Languages,
Deptt., Haryana.

Thereafter, the Committee the received a letter from the petitioners/applicants, in which they stated that their grievances was resolved and they thanked the Committee. The letter received from petitioners/applicants, is reads as under:—

To

The Hon'ble Chairmen
Petition Committee
Haryana Vidhan Sabha
Chandigarh.

Subject: Execution of fresh lease agreement of SCO no. 200-201, Sector -17C, Chandigarh between the Director General Information Public Relations and Languages Department Haryana, Chandigarh and the landlords.

Sir,

We had approached the Petition Committee Haryana Vidhan Sabha for settling the matter for execution of fresh lease agreement of SCO No. 200-201, Sector – 17 C, Chandigarh between the Director General Information Public Relations and Languages Department Haryana, Chandigarh and the landlords which was pending for many years. We are grateful to the Hon'ble Chairman and Members of Petition Committee for their

efforts. They summoned the senior officers of department many times and finally the matter was sorted out and fresh lease agreement has been signed.

We are once again thankful to the Petition Committee for resolving the matter.

Thanking You.

Yours Faithfully

-Sd-

Devender Pal Singh & others
SCO No. 200-201
Sector – 17C, Chandigarh.

The Committee considered the application of petitioners and satisfied with the reply of the concerned department, in its meeting held on 27.07.2021 and accordingly disposed of petition/representation.

3. PETITION/REPRESENTATION RECEIVED FROM SHRI JOGINDER SINGH, SARPANCH AND OTHERS VILLAGE NAINA TATARPUR, DISTRICT SONEPAT REGARDING CONSTRUCTION OF ROAD NAINA TATARPUR TO MOHANA, WHICH READS AS UNDER:—

सेवा में,

माननीय चेयरमैन साहब,
याचिका समिति,
विधानसभा हरियाणा, (चण्डीगढ़)।

विषय : सड़क नवीनीकरण के बारे में।

श्रीमान् जी,

हमारे गाँव नैनातातारपुर को मोहाना से जोड़ने वाली P.W.D. विभाग की सड़क जिसका नवीनीकरण करने के लिए पिछले 3 वर्षों से टेंडर हो रहा है। इस सड़क को ठेकेदार द्वारा पिछले 3 वर्षों से उखाड़ कर छोड़ दिया गया है। सड़क में गहरे गड्ढे होने के कारण चलना नामुमकिन है। आए दिन कोई न कोई दुर्घटना होती रहती है। 3 वर्षों में सड़क की बदहाली के कारण 15-20 ग्रामीणों को चोट लग चुकी है। अतः आपसे प्रार्थना है कि आप इस मामले पर संज्ञान लेते हुए जनहित को ध्यान में रख सड़क का नवीनीकरण जल्द से जल्द करवाने का कष्ट करें।

धन्यवाद सहित।

प्रार्थी

हस्ता

जोगेन्द्र सरपंच व अन्य
गांव नैनातातारपुर,
जिला सोनीपत

The petition/representation was placed before the Committee in its meeting held on 30.06.2020 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

To

The Secretary,
Haryana Vidhan Sabha Secretariat,
Chandigarh

Memo No. 821-R-17/4628/RI Dated :- 15/03/2021.

Subject: Regarding construction of road Naina Tattarpur to Mohana.

Ref. :— Your office memo No. HVS/Petition/686/2020-21/12370 dated 11.09.2020 on the subject noted above.

In this connection, it is submitted that the work of subject cited roads has already been completed on 25.02.2021.

This is for your kind information.

-Sd-

Executive Engineer (Roads-III)
For Engineer-in-Chief, Haryana
PWD B&R Branch, Chandigarh

Thereafter, the Committee the received a letter from the petitioners/applicants, in which their grievances was resolved and thanked the Committee. The letter received from petitioners/applicants, which reads as under:—

सेवा में,

श्रीमान् अध्यक्ष महोदय,
याचिका समिति,
हरियाणा विधानसभा (चण्डीगढ़)।

विषय : धन्यवाद पत्र।

श्रीमान् जी,

निवेदन यह है कि हम सभी ग्रामवासी ग्राम पंचायत नैनातातारपुर ने नैनातातारपुर से मोहाना की सड़क बनवाने हेतु जो याचिका दी थी। वह सड़क बनकर तैयार हो गई है। इसलिए समस्त ग्रामवासियों की तरफ से आपका हार्दिक धन्यवाद करते हैं।

धन्यवाद सहित।

प्रार्थी

हस्ता

जोगेन्द्र सरपंच व अन्य
गांव नैनातातारपुर, (सोनीपत)

The Committee considered the application of petitioners and satisfied with the reply of the department, in its meeting held on 27.07.2021 and accordingly disposed of petition/representation.

4. **PETITION/REPRESENTATION RECEIVED FROM SHRI GHARSA RAM, RETIRED SI, H.NO. 142, AGGARWAL COLONY BARNALA ROAD, SIRSA, REGARDING COMPLAINT AGAINST SH. RAM MEHAR, CRC, SH. SUBHASH CHANDER, PA, SP OFFICE, SIRSA, SH. RAJESH KUMAR, ASSISTANT, OFFICE OF I.G.P. HISAR & SH. BHARAT BHUSHAN BHATIA, SUPERINTENDENT, OFFICE OF DGP, PANCHKULA AND OTHERS, WHICH READS AS UNDER:—**

सेवा में,

माननीय अध्यक्ष महोदय,
याचिका समिति,
विधानसभा हरियाणा, (चण्डीगढ़)।

विषय : शिकायत बाबत किये जाने कार्यवाही विरुद्ध 1. राम मेहर, सी.आर.सी., 2. सुभाष चन्द्र, पी.ए., कार्यालय एस.पी. सिरसा, 3. राजेश कुमार, सहायक, कार्यालय आई.जी.पी., हिसार, 4. भारत भूषण भाटिया अधीक्षक कार्यालय डी.जी.पी., पंचकूला को दिये जाने निलम्बित व किये जाने तबादला व प्रार्थी को न्याय दिये जाने बारे।

श्रीमान् जी,

प्रार्थी निम्नलिखित निवेदन करता है:—

- यह है कि पुलिस अधीक्षक, सिरसा द्वारा अपने आदेश क्रमांक 1567-69 दिनांक 22.01.2021 जिसमें मेरी एस.आई. के पद से रिवर्सन करके ए.एस.आई. बनाया गया है, यह तमाम कार्यवाही नियमों के विरुद्ध है। मुझे इसमें व्यक्तिगत सुनवाई का कोई अवसर प्रदान नहीं किया गया और ना ही एस.पी., सिरसा मुझे इस सन्दर्भ में कोई नोटिस दे सकते थे, मेरा सक्षम अधिकारी आई जी पी, सिहार थे। इस नोटिस के सन्दर्भ में मैने आई.जी.पी., हिसार को ईमेल से अपना जवाब भेज दिया था।
- यह है कि एस पी, सिरसा ने अपने-अपने नोटिस दिनांक 16.01.2021 जो मेरे पास भेजा था, उसमें किसी उच्च अधिकारी के पत्र का कोई हवाला नहीं दिया था। इस नोटिस के सन्दर्भ में विशेष बात यह है कि मुताबिक सी.डब्ल्यू.पी. नं0 12631/2015 एस.आई. कृष्णा देवी बनाम सरकार में दिनांक 20.02.2017 को माननीय पंजाब एवम् हरियाणा उच्च न्यायालय से निर्देश हुए थे कि “Superintendent of Police has no authority to impose the penalty of reversion on the petitioner” इसमें एस.आई. कृष्णा देवी को एसपी झज्जर ने एस.आई. के पद से रिवर्सन करके ए.एस.आई. बनाया वह गलत था, जो इस प्रकार एस.पी., सिरसा ने मेरे एस.आई. के पद से रिवर्सन करके ए.एस.आई. नियमों विरुद्ध आदेश पारित किये गये हैं।
- यह है कि आई.जी.पी., रोहतक के पत्रांक 6825/ए-1 दिनांक 27.05.2017 में स्पष्ट आदेश हुए थे कि महिला एस.आई. श्रीमती कृष्णा देवी “Petitioner was promoted and also confirmed by IGP, Rohtak range Rohtak being appointing Authority”

4. यह है कि यही तथ्य माननीय गृह सचिव हरियाणा द्वारा मेरे कम्पलसरी रिटायरमेंट आदेश दिनांक 23.12.2013 में किये है कि “S.P. can’t dismissed a Sub Inspector, he was confirmed ASI by IGP, Hisar and ASI and SI promoted by IGP, Hisar”
5. यह है कि इस सन्दर्भ में माननीय उच्च न्यायालय से सजा स्थगित है, अपराधिक जो मामला दर्ज किय गया था वह स्थानीय पुलिस द्वारा कैंसिल किया जा चुका था तथा माननीय न्यायालय द्वारा भी स्वीकृत कर लिया गया था। यह प्राईवेट ईस्तगासा में सजा हुई थी ना कि किसी अपराधिक मामले में तथा इस अपराधिक मामले का संज्ञान जब राज्य सरकार द्वारा ले लिया जाकर कम्पलसरी रिटायरमेंट के आदेश हुए थे तो राज्य सरकार के आदेशों को 8 वर्ष के बाद एक एस.पी. रैंक का अधिकारी निरस्त नहीं कर सकता, ऐसा करने से पहले राज्य सरकार से स्वीकृति लेनी जरूरी थी।
6. यह है कि मुताबिक सी.एस.आर. 2.2, 4 वर्ष पुराने मामले पर कोई आगामी कार्यवाही नहीं की जा सकती। यह राज्य सरकार की हिदायत है एस.पी., सिरसा के आदेश में राज्य सरकार से ली गई अनुमति का कोई वर्णन नहीं किया गया है, जो बिना राज्य सरकार की स्वीकृति नियमों के विरुद्ध बदनियत से कार्यवाही की जानी प्रमाणित होती है।
7. यह है कि एसपी, सिरसा द्वारा भेजा गया नोटिस दिनांक 16.01.2021 में आई.जी.पी, हिसार से भी कोई अप्रुवल ली जानी नहीं दर्शाई गई है। यह नोटिस एस.पी., सिरसा मेरे पास भिजवाने में सक्षम ही नहीं थे। मेरा सक्षम अधिकारी आई.जी.पी., हिसार थे। अपनी तरफ से स्वयं वह भी ऐसा नोटिस नहीं दे सकते थे। उन्हें भी ऐसा नोटिस देने से पहले राज्य सरकार की स्वीकृति लेनी आवश्यक थी।
8. यह है कि एस.पी., सिरसा ने मेरे रिर्वसरन आदेश पारित करने से पहले मुझे कोई व्यक्तिगत सुनवाई का अवसर प्रदान नहीं किया गया। बिना व्यक्तिगत सुनवाई के कोई आदेश पारित नहीं किये जा सकते। जो राज्य सरकार की हिदायत है। यह सब इसलिए किया गया कि मैं एक दलित समुदाय से हूँ। मेरी आरक्षित वर्ग सीनियोरिटी का मामला 21 वर्षों से चला आ रहा है। अब भी मेरी अपील दिनांक 11.07.2019 से डी.जी.पी., कार्यालय में विचाराधीन है, जो भारत भूषण अधीक्षक दबाये बैठा है। उसके कहने पर उपरोक्त ने अब मेरी होने वाली इन्सपैक्टर पद की प्रमोशन के लिए लिस्ट आई.जी.पी. कार्यालय, हिसार से डी.जी.पी. कार्यालय हरियाणा को भेजी गई है। मुझे इन्सपैक्टर के पद की प्रमोशन से वंचित कर दिया है।
9. यह है कि पहले मैं 20.08.2009 से बतौर एस आई प्रमोट हुआ था तथा दिनांक 16.11.2012 से रिटायर हूँ। अब आई.जी.पी., हिसार के आदेश दिनांक 30.09.2020 के अनुसार मुझे दिनांक 20.09.2006 से एस.आई. बना दिया गया है। जो एस.आई. से इन्सपैक्टर बनने के लिए 5 वर्ष की सर्विस होनी जरूरी है, जो मैं वर्ष 2011 से बतौर इन्सपैक्टर प्रमोट होना था। इसी से वंचित रखने के लिए 8 वर्ष बाद मेरी रिर्वसन की

गई है। मेरे प्रमोशन आदेश वर्ष 2011 में बतौर एस.आई. के हुए थे जो आई.जी.पी. के आदेशों को 8 वर्ष बाद एक एस.पी. रैंक का अधिकारी निरस्त कर रहा है।

10. यह है कि मेरी दिनांक 30.05.2013 को 58 वर्ष की सेवा पर रिटायरमेंट होनी थी, जो माननीय गृह सचिव हरियाणा द्वारा दिनांक 16.11.2012 यानि साढ़े छः महीने पहले कम्पलसरी रिटायर किया था। जो मेरे को सजा गृह सचिव द्वारा पहले ही दी जा चुकी थी, तो अब पुनः सजा देने का कोई आधार नहीं बनता। एक ही अपराध की दो बार सजा नहीं हो सकती। भारतीय सविधान के अनुच्छेद 21 में स्पष्ट प्रावधान किया हुआ है।
11. यह है कि इस मामले का पूर्ण संज्ञान माननीय गृह सचिव हरियाणा द्वारा पहले ले लिया जाकर मुझे दिनांक 16.11.2012 से जब सब ईन्सपेक्टर पद से रिटायरमेंट के आदेश जारी कर दिये थे तो मुझे किसी प्रकार के लाभ से नहीं रोका जा सकता था। अब 8 वर्ष के बाद एस.पी., सिरसा ने बिना किसी आधार व बिना किसी राज्य सरकार की हिदायत के यह नियमों विरुद्ध रिर्वसन आदेश जारी किये हैं। मैं दिनांक 16.11.2012 से कम्पलसरी रिटायर हुआ था तो अब मुझे 8 वर्ष से ज्यादा का समय हो चुका है जो इस सन्दर्भ में ऐसा करने के लिए माननीय मुख्य सचिव हरियाणा की कोई ऐसी हिदायत नहीं है।
12. यह है कि मैंने माननीय पंजाब एवम् हरियाणा उच्च न्यायालय में एक सी.डब्ल्यू.पी. नं० 10124/ दायर की थी, इसमें अनुरोध किया गया था कि मुख्य सचिव हरियाणा की हिदायत दिनांक 04.05.2018 के अनुसार दिनांक 17.06.1995 से आज तक तृतीय श्रेणी में एस.सी. कर्मियों का बैक लागू पूर्ण करवाया जाये, इसमें माननीय न्यायालय द्वारा 3 महीने तक बैकलाग पूर्ण किये जाने के आदेश दिये थे। लेकिन समय पर बैकलाग पूर्ण ना करने पर मैंने एक सी.ओ.सी.पी. नं. 1153/2020 माननीय न्यायालय में दायर की थी। जिस पर अब सम्पूर्ण हरियाणा में ईन्सपेक्टर तक के पदों का बैकलाग भरा जा रहा है, इसमें मुझे भी एस.आई. के पद में दिनांक 20.08.2009 की बजाय दिनांक 28.09.2006 से बतौर एस.आई. बना दिया गया है। यह आदेश आई.जी.पी., हिसार के दिनांक 30.09.2020 को हुए हैं। अब मुझे वर्ष 2011 से बतौर ईन्सपेक्टर प्रमोट इसी महीने में होना था। उसको रोकने के लिए यह मेरे विरुद्ध एस.पी., सिरसा से उपरोक्त ने अवैध कार्यवाही करवाई है।
13. यह है कि आई.जी.पी., हिसार के पत्रांक 1140/ए-1 दिनांक 14.01.2021 सहायक राजेश कुमार द्वारा जारी करवाया हुआ है। इनको यह देखना चाहिए था कि माननीय गृह सचिव हरियाणा ने अपने आदेश दिनांक 23.12.2013 में जब निर्देश दिये हुए हैं कि एस.पी., एक एस.आई. पर का सक्षम अधिकारी नहीं है तो इन्होंने अपने कार्यालय के पत्रांक 1140/ए-1 दिनांक 14.01.2021 के तहत एस.पी., सिरसा को निर्देश जारी नहीं करवाये जाने चाहिए थे। इनको स्वयं भी यह ज्ञान था कि ए.एस.आई. एवं एस.आई. का सक्षम अधिकारी आई.जी.पी., हिसार है। इन्होंने ने ही मेरी बतौर एस.आई. सीनियोरिटी दिनांक 20.09.2009 की बजाय दिनांक 28.09.2006 से आई.जी.पी., हिसार

द्वारा स्वीकृत दिनांक 30.09.2020 को करवाई है। तब इन्होंने इस मामले का संज्ञान क्यों नहीं लिया। साढ़े 3 महीने के बाद यह कार्यवाही कैसे करवाई। इनको यह भी देखना था कि एक 8 वर्ष से रिटायर कर्मचारी के विरुद्ध कार्यवाही करने से पहले राज्य सरकार की स्वीकृति लेना अनिवार्य है तो इन्होंने आई.जी.पी., हिसार से पत्र गृह सचिव हरियाणा को स्वीकृति हेतु क्यों नहीं लिखवाया जो इन्होंने अपने पद का दुरुपयोग करते हुए झुठे व गलत दस्तावेज तैयार करवाकर मेरी आरक्षित आधार की होने वाली प्रमोशन से वंचित करने के लिए यह कार्यवाही की है।

14. यह है कि एस.पी. कार्यालय, सिरसा के सी.आर.सी. राममेहर से मैंने मिलकर पूछा तो इसने बताया कि मुझे काम आता नहीं, आपके मामले की तमाम कार्यवाही सुभाष पी.ए., एस.पी. ने स्वयं की है उसी ने यह आदेश टाईप किये हैं। उसी ने मेरे इस आदेश पर लघु हस्ताक्षर करवाये थे। जो मेरी जिम्मेवारी बनती है। आदेश पारित कराने के बाद आपकी फाईल को मैंने भली भाँति चैक किया जो आपकी रिवर्सन के आदेश गलत पारित हुए हैं। डी.जी.पी. कार्यालय से भारत भूषण भाटिया के एक सप्ताह से फोन सुभाष पी.ए. पास आ रहे थे। उसने मुझे भी कहा था जो हमारे पर प्रेशर था। तब हमने यह नियमों विरुद्ध कार्यवाही की है।

विशेष टिप्पणी :- पूर्व आई.जी.पी., हिसार के आदेशों को 10 वर्ष बाद एक एस.पी. रैंक का अधिकारी, निरस्त कर रहे हैं। जिससे स्पष्ट बदनीयत प्रमाणित होती है।

श्रीमान जी, आपसे निवेदन है कि उपरोक्त सभी लोक सेवको ने अपने-2 पदों का दुरुपयोग करके मुझे नुकसान पहुँचाने व मेरी मानहानि कराने की नियत से गलत व झुठे दस्तावेज तैयार किये। इन सबने मिलकर एक शडयंत्र के तहत यह कार्यवाही की है ताकि मुझे ईन्सपेक्टर पद की प्रमोशन जो आरक्षित वर्ग ही है, से वंचित किया जा सके। इनके विरुद्ध कानूनी कार्यवाही की जाये। इन सभी को निलम्बित करके तबादला किया जाये। एस.पी. सिरसा, द्वारा किये गये रिवर्सन आदेश को निरस्त किया जाये और मेरी होने वाली ईन्सपेक्टर पद की प्रमोशन तुरन्त प्रभाव से करवाई जाये। सुभाष पी.ए. दिनांक 13.04.2010 से सिरसा में तैनात है, यह पहले स्टैनो था और अब करीब ढाई साल से पी.ए. प्रमोट हो चुका है। अपना वेतन भोण्डसी से लेता है। पी.ए. की पोस्ट एस.पी. कार्यालय में नहीं होती। आपकी अति कृपा होगी।

प्रार्थी

हस्ता

घड़सा राम सेवानिवृत्त एस.आई.,
निवासी 142, अग्रवाल कालोनी,
बरनाला रोड़, सिरसा।

The petition/representation was placed before the Committee in its meeting held on 30.01.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which

reads as under:—

To

The Secretary,
Haryana Vidhan Sabha, Secretariat.
Chandigarh.

No 3525/E-III(2) dated Panchkula, the 26.03.2021.

Subject: Regarding complaint against Sh. Ram Mehar, CRC, Sh. Subhash Chander, PA SP Office, Sirsa, Sh. Rajesh Kumar, Assistant, office of I.G.P Hisar, Sh. Bharat Bhushan Bhatia Superintendent, Office of DGP, Panchkula.

Memo:

Kindly refer to your office memo no. HVS/Petitions/751/2020-21/1744 dated 01.02.2021, on the subject noted above.

In this regard, parawise comments received from Inspector General of Police, Hisar Range vide his office memo no. 4243/A-1 dated 18.02.2021 is enclosed herewith for information and necessary action please.

Encl: As above

Superintendent
for Director General of Police,
Haryana.

From

The Inspector General of Police,
Hisar Range, Hisar.

To

The Director General of Police,
Haryana, Panchkula.

No.4243/A-1 dated Hisar, the 18/02/2021.

Sub: — Regarding complaint against Sh. Ram Mehar, CRC, Sh. Subhash Chander, PA SP Office, Sirsa, Sh. Rajesh Kumar, Assistant, office of I.G.P Hisar, Sh. Bharat Bhushan Bhatia Superintendent, Office of DGP, Panchkula.

Memo.

Kindly refer to your office endst. 1742-43/E(III)-2 dated 12.02.2021, on the subject noted above.

2. Para-wise comments/reply on the petition No. HVS/petition/751/2020-21/1744-cum-complaint dated 26.01.2021 submitted by Retd. ASI Gharsa Ram received vide your office endst. under reference are as under: -

- (i) In reply to para No. 1 of the petition it is submitted that name of ASI Gharsa Ram No. 551/SRS was approved for promotion as Sub-Inspector w.e.f.

20.08.2009 by this office vide memo. No. 12170/A-1 dated 28.04.2011 with the condition that there should be no DE/VE/Criminal case pending against him. The approval was given under PPR-13.4 (2) to SP/Sirsa being competent authority to promote an official in the ranks HC, ASI and Sub-Inspector because Superintendent of Police is appointing authority from the rank of Constable to the rank of Sub-Inspector under PPR-12.1. At that time a criminal case FIR No. 62 dated 25.03.2001 u/s 302/34 IPC PS Ellenabad was pending against Retd. ASI Gharsa Ram which resulted into conviction and rigorous imprisonment of 5 (1+1+3) years with fine of Rs. 62,000/- (60000+1000+1000) u/s 323/342/167 IPC read with section 34 IPC on 27.10.2012. The petitioner filed criminal appeal No. 3243-5B of 2012 and the Hon'ble High Court suspended the remaining portion of sentence of imprisonment imposed by the trial court during the pendency of appeal. Now the complainant is on bail. Said criminal case remained pending against Gharsa Ram from 25.03.2001 to 26.10.2012 and on 27.10.2012 he was convicted and sentenced. On the date of promotion approved w.e.f. 20.08.2009 and also on 25.09.2006 (deemed date of promotion as SI under reservation policy) the said criminal case was pending against him and thus he was not entitled for promotion as Sub-Inspector. But the then SP/Sirsa issued orders of promotion as Sub-Inspector of Gharsa Ram vide his No. 7442-46 dated 29.04.2011 wrongly. This matter of wrongly granted promotion come into the notice of successor authority recently and the present SP/Sirsa issued a notice bearing No. 1318 dated 16.01.2021 to Retd. Gharsa Ram as to why the wrongly granted promotion as Sub-Inspector may not be withdrawn as at that time a criminal case was pending against him. After considering written reply of Retd. ASI Gharsa Ram dated 16.01.2021, the Superintendent of Police, Sirsa has passed detailed/reasoned/self speaking order bearing No. 1567-69 dated 22.01.2021 vide which the wrongly granted promotion as Sub-Inspector to the complainant has been withdrawn after completing essential requirements under law & rules such as serving a notice as per principles of natural justice and after obtaining approval of higher authority etc. A copy of notice dated 16.01.2021 and orders dated 22.01.2021 are attached herewith for ready reference. It is quite wrong to say by the complainant that action of SP/Sirsa is against rules. The SP/Sirsa has rightly withdrawn the wrongly granted promotion to the complainant, which is as per law and rules and in the interest of natural justice also. So far, as personal hearing is concerned, the complainant did not request for his personal hearing in his reply dated 16.01.2021. It is also wrong to say by the complainant that SP/Sirsa was not competent authority in the matter instead the IGP/Hisar was the competent authority. Under PPR-12.1 the Supdt. of Police, Sirsa was the appointing authority up-to the rank of Sub-Inspector. Further, the Supdt. of Police, Sirsa was also the competent authority to the promote in the rank of HC, ASI and Sub-Inspector under PPR-13.4 (2). As such, SP/Sirsa was fully competent to withdraw the wrongly granted promotion under PPRs 12.1, 13.4 (2) and 13.18 and the IGP/Hisar Range was the appellate authority

before whom he could file the representation/appeal against the order of SP/Sirsa but he failed to do so and started to make false complaints against the dealing officials of DPO/Sirsa, Range office, Hisar and of PHQ. So far, as the Email is concerned, it is unnecessary correspondence done by the complainant. A copy of PPR-12.1, PPR-13.4 (2) and PPR-13.18 are also enclosed for ready reference.

- (ii) That contents of para No. 2 of the complaint are wrong and denied. The complainant, to his interest, is concealing the true facts of the case. The Single Judge order dated 20.02.2017 delivered in CWP No. 12631 of 2015 titled as SI Krishna Devi V/s State of Haryana mentioned by the complainant in this para has already been set aside by the double bench of the Hon'ble High Court vide order dated 10.10.2018 in LPA No. 1478 of 2017 (O & M) copy of which is attached herewith. This fact has been concealed by the complainant Gharsa Ram. Further, matter of dispute is also different in these two cases. Order of reversion passed in r/o SI Krishana Devi was punitive under PPR 16.4 whereas order of withdrawal of wrongly granted promotion from Gharsa Ram is not punitive under PPR 16.4. It is quite wrong to say by the complainant that the SP/Sirsa has passed orders dated 22.01.2021 against rules. The Superintendent of Police, Sirsa has rightly passed the orders dated 22.01.2021 as stated in para No. 1 above and he was fully competent in this regard under the Punjab Police Rules – 1934 (as applicable in Haryana) quoted in above paras.
- (iii) That the contents of para No. 3 of the petition are misleading. As per PPR-12.1 appointing authority from the rank of Constable to Sub-Inspector is the Superintendent of Police. As per PPR-12.1 (3) power to confirm the appointment on probation vests in the prescribed appointing authority. As such confirming authority from the rank of Constable to Sub-Inspector is the Superintendent of Police. As per PPR-13.18 appointing authority is competent to confirm the police official after completion of probation periods in the ranks from Constable to Sub-Inspector. Further, as per PPR-13.4 (2) Superintendent of Police is fully competent to make officiating promotions in the rank of SI, ASI and HC. Therefore, SP/Sirsa was fully competent to withdraw the wrongly granted promotion to Retd. ASI Gharsa Ram in the rank of Sub-Inspector.
- (iv) That the contents of para No. 4 of the petition are also misleading. As per PPR-12.1, appointing authority of a Sub-Inspector is Superintendent of Police. As per PPR-16.1, Superintendent of Police is fully competent to award the punishment of dismissal in the ranks of SI, ASI, HC and Constable. Further, Superintendent of Police is fully competent to grant promotion from the rank of ASI to Sub-Inspector and also to withdraw wrongly granted promotion in the rank of SI as per PPR 13.4 (2). As such, the contents of this para are misleading. A copy of PPR-16.1 is also attached herewith.
- (v) That in reply to the para No. 5 of the petition it is submitted that during examination of service-record of Retd. SI (now ASI) Gharsa Ram it was

found by the SP/Sirsa that a case FIR No. 62 dated 25.03.2001 u/s 302/34 IPC PS Ellenabad was registered against complainant Gharsa Ram and other police officials. The local police submitted cancellation report in this case. The complainant Bhola Ram in the said FIR did not agree with the cancellation report and wanted to file protest petition. The accused police officials moved application and the learned Court of Sh. N. K. Biriwal, Addl. Sessions Judge (FTC) Sirsa discharged the accused persons vide order dated 16.12.2008. The revision petition was filed by said Bhola Ram against the order dated 16.12.2008 in the Hon'ble High Court and the Hon'ble High Court vide order dated 15.03.2010 accepted the revision petition and the order dated 16.12.2008 passed by the learned Addl. Session Judge, Sirsa was set aside and trial court was directed to proceed further in accordance with law. Ultimately the learned Court of Sh. R. P. Goyal, Addl. Sessions Judge, Sirsa vide judgement dated 26.10.2012 held Retd. ASI Gharsa Ram and other co-officials guilty for the commission of offences punishable u/s 323/342 and 167 IPC read with section 34 of IPC vide order dated 27.10.2012. The learned Court sentence each of the accused to undergo rigorous imprisonment for a period of one year and pay fine of Rs. 1000/- each u/s 323 IPC, rigorous imprisonment for a period of one year and to pay a fine Rs. 1000/- each u/s 342 IPC and rigorous imprisonment of three years and to pay a fine of Rs. 60,000/- to each accused u/s 167 IPC read with section 34 of IPC. That said criminal case remained pending against the complainant Gharsa Ram from 25.03.2001 to 25.10.2012 and on 26.10.2012 said Gharsa Ram was held guilty of the offences and on 27.10.2012 he was awarded said rigorous imprisonment by the criminal Court. The SP/Sirsa dismissed Gharsa Ram from service under PPR 16.2 (2) vide order dated 16.11.2012 and later on the ACS (Home) vide order dated 23.12.2013 reduced the punishment of dismissal to the punishment of compulsory retirement from service effective from 16.11.2012. A copy of PPR 16.2 (2) and the ACS (Home) order dated 23.12.2013 are attached herewith. It is quite wrong to say by petitioner Gharsa Ram that after 08 years the SP/Sirsa has cancelled the ACS (Home) order dated 23.12.2013. The Govt. order dated 23.12.2013 is still in force and thus the opinion of State Govt. was not required in withdrawal of wrongly granted promotion as Sub-Inspector from petitioner Gharsa Ram.

- (vi) That in reply to the contents of para No. 6 of the petition/complaint it is admitted that under CSR rule 2.2, no punitive action can be taken against a retired official after 04 years. The SP/Sirsa has not violated CSR rule 2.2 in this matter. The SP/Sirsa has withdrawn wrongly granted promotion as Sub-Inspector from Gharsa Ram which is not punitive in nature under PPR 16.4 duly mentioned in the order dated 22.01.2021. Since, it was not punitive action under PPR 16.4, no previous sanction/approval was required to be obtained from the State Govt. By saying so, petitioner Gharsa Ram is misleading this Hon'ble Petition Committee of Haryana Vidhan Sabha. There was nothing wrong on the part of the Supdt. of Police, Sirsa in passing the order dated 22.01.2021 instead it was his legitimate duty to correct the wrong

orders passed in the past when it came to his notice after taking proper approval of the next higher authority i.e. the Inspector General of Police, Hisar Range. A mistake can be corrected as and when it comes to the notice of the competent authority after adopting due course of action which the SP/Sirsa has adopted before passing the order dated 22.01.2021.

- (vii) That in reply to the contents of para No. 7 of the complaint it is submitted that the SP/Sirsa has rightly obtained approval of the IGP/Hisar vide his letter No. 604/Spl dated 12.01.2021 by mentioning all the facts of the case and the same was accorded by the IGP/Hisar vide memo. No. 1140/A-1 dated 14.01.2021 as per procedure before issuing of notice bearing No. 1318 dated 16.01.2021. Copy of SP/Sirsa letter No. 604/Spl dated 12.01.2021 and copy of the IGP/Hisar No. 1140/A-1 dated 14.01.2021 are attached herewith. However, it was not necessary for SP/Sirsa to mention this correspondence in the notice dated 16.01.2021. The SP/Sirsa has mentioned all the necessary facts of the case in the notice dated 16.01.2021. The Supdt. of Police, Sirsa was fully competent to issue said notice being appointing authority of a Sub-Inspector as already explained in above paras of this reply. The IGP/Hisar is the appellate authority in the matter before whom said Gharsa Ram has not submitted any appeal against the SP/Sirsa order dated 22.01.2021 instead he has started making wrong complaints against the innocent officials of DPO/Sirsa, Range office/Hisar and the official of PHQ. It has already been clarified that approval of the State Govt. was not required to be obtained by the SP/Sirsa in the matter.
- (viii) That in reply to the contents of para No. 8 of the complaint/petition, it is submitted that before passing orders dated 22.01.2021 pertaining to withdrawal of wrong promotion as Sub-Inspector from Sh. Gharsa Ram proper notice dated 16.01.2021 was issued by the Supdt. of Police, Sirsa to the complainant Gharsa Ram. After considering the reply dated 16.01.2021 submitted by the complainant, a detailed/reasoned order dated 22.01.2021 was passed by the competent authority i.e. the Supdt. of Police, Sirsa. So far as personal hearing is concerned, the same was not requested by the complainant Gharsa Ram in his reply dated 16.01.2021 to the notice. It is also wrong to say by the complainant that no orders can be passed without personal hearing. As per Govt. instructions, no adverse order can be passed without giving an opportunity to the effected official to defend himself. The opportunity to defend the complainant himself was provided to him by issuing the notice dated 16.01.2021 by giving him 15 days time to submit his written reply. And after considering written reply by SP/Sirsa the order dated 22.01.2021 was passed by mentioning all facts of the case. It is admitted that the complainant belongs to scheduled castes category but no injustice has been found done at any stage of the case. As per record it has been found that the complainant Gharsa Ram has been granted deemed date of promotion as ASI w.e.f. 25.09.2006 instead of 20.08.2009 during clearance of backlog in promotion in r/o the SC candidates in compliance of the Haryana

Govt. letter No. 22/133/2013/1GSIII dated 04.05.2018. Rest of the contents of this para relates to your good office, please.

- (ix) That in reply to para No. 9 of the complaint it is admitted that the complainant was promoted as Sub-Inspector w.e.f. 20.08.2009 vide the SP/Sirsa order No. 7442-46 dated 29.04.2011 but this promotion was wrongly granted by the then SP/Sirsa on the ground that on 20.08.2009 a criminal case was pending against him as already explained in above paras. At that time a vacancy of Sub-Inspector should have been kept pending for him instead of issuing his promotion orders as Sub-Inspector and this vacancy should have been filled by an official next junior to him after the conviction and imprisonment ordered by the criminal Court on 27.10.2012 in respect of the complainant because after 27.10.2012 he became a convicted and a convicted official has no right of promotion. It is also admitted that the complainant was compulsorily retired w.e.f. 16.11.2012 and his order of retirement issued by the ACS (Home) is still in force. It is also admitted that he was given deemed date of promotion in the rank of Sub-Inspector w.e.f. 28.09.2006 under the policy of reservation but this deemed promotion w.e.f. 28.09.2006 was based on the actual date of promotion as Sub-Inspector w.e.f. 20.08.2009, which has been proved wrong as on 20.08.2009 a criminal case was pending against him. When actual date of promotion as Sub-Inspector w.e.f. 20.08.2009 has been withdrawn then his deemed date of promotion as Sub-Inspector w.e.f. 28.09.2006 under reservation policy also became wrong as on 28.09.2006 the same criminal case was pending against him and thus the same was also withdrawn by mentioning in the notice dated 16.01.2021. It is quite wrong to say by the petitioner that his promotion as Sub-Inspector w.e.f. 28.09.2006 has been withdrawn only to keep him ineligible for promotion to the rank of Inspector. It is submitted that his promotion as Sub-Inspector w.e.f. 20.08.2009 and deemed promotion w.e.f. 28.09.2006 proved wrong on file and thus the same were withdrawn in the interest of justice and fair play. A wrongly granted promotion to any official cannot be allowed to remain in force, as and when it comes into the notice of the competent authority. It is also wrong to say by the complainant that an officer of the rank of Superintendent of Police has cancelled the order of the officer of the IGP rank. Actually the IGP/Hisar Range had approved the promotion of the complainant in the rank of Sub-Inspector under PPR-13.4 (2) and on the basis of approval the SP/Sirsa has issued the order of promotion as Sub-Inspector in r/o the complainant vide his order No. 7442-46 dated 29.04.2011. Approval of the IGP/Hisar Range was conditional that there should be no DE/VE/Criminal Case pending but a criminal case was pending and thus the condition of approval was not met by the then SP/Sirsa and a wrong promotion was granted to the complainant w.e.f. 20.08.2009. So, the SP/Sirsa has withdrawn the wrongly granted promotion by the then SP/Sirsa after taking approval from the IGP/Hisar Range and not cancelled any order of the IGP/Hisar Range as stated by the petitioner. Hence, the contents of this para are totally wrong and denied.

- (x) That the contents of para No. 10 of the complaint are wrong and misleading. It is admitted that date of superannuation retirement after the age of 58 years in respect of Retd. Gharsa Ram was 31.05.2013 and he was retired compulsorily from service by the ACS (Home) w.e.f. 16.11.2012 after reducing the punishment of dismissal from service under PPR-16.2 (2) to that of compulsorily retirement which was punitive in nature under PPR 16.4 on the ground of conviction and imprisonment by the criminal Court of law. But on this ground of conviction no second punishment has been given to the complainant by way of withdrawal of wrongly granted promotion in the rank of Sub-Inspector as clearly mentioned in the SP/Sirsa order dated 22.01.2021. Withdrawal of wrongly granted promotion is not punitive in nature under PPR-16.4 which has clearly been mentioned in the order dated 22.01.2021 and it is not stigmatic to the service of the complainant. As such, no second punishment has been granted to him as stated by the complainant.
- (xi) That the contents of para No. 11 of the complaint are wrong and misleading. The orders of compulsory retirement passed by the ACS (Home) are in force and the complainant was not denied any retrial benefits. So far as withdrawal of wrongly granted promotion in the rank of Sub-Inspector is concerned, the order dated 22.01.2021 passed by the SP/Sirsa are legal and just and the mistake committed by the then SP/Sirsa has rightly been corrected by the present SP/Sirsa by passing the order dated 22.01.2021. By doing so the SP/Sirsa has not violated any rule as stated by the complainant. As such, contents of this para are wholly wrong and misleading.
- (xii) That the contents of para No. 12 of the complaint are also misleading. It is admitted that the complainant had filed a CWP No. 10124 and thereafter a COCP No. 1153 of 2020 has been filed in the Hon'ble High Court regarding clearness of backlog in view of the Haryana Govt. letter dated 04.05.2018 and the COCP is still pending in the Hon'ble High Court. It is also admitted that in compliance of Haryana Govt. letter dated 04.05.2018 the process of clearness of backlog of SC Category employees is going on. It is also admitted that during this process the complainant was approved to grant deemed date of promotion w.e.f. 28.09.2006 instead of 20.08.2009 but these dates have been withdrawn from the complainant having been wrongly granted the detail of which has already been explained in above paras of this reply. The SP/Sirsa has rightly withdrawn the wrong promotion in the rank of Sub-Inspector vide order dated 22.01.2021 which is self-explanatory. It is also wrong to say by the complainant that he is to be promoted as Inspector in this month as a convicted and sentenced official is not entitled for promotion after his conviction and sentenced by the criminal court of law. Detail has already been given in above paras of this reply.
- (xiii) That the contents of para No. 13 of the complaint are also misleading. The SP/Sirsa had written a letter No. 604/Spl dated 12.01.2021 to this office mentioning detail of the case of wrongly granted promotion to the complainant in the rank of Sub-Inspector with the request to grant approval

to withdraw the wrong promotion granted to the complainant Gharsa Ram. On it, this office has rightly granted approval to withdraw the wrong promotion after examination of the case and after perusal of the legal opinion tendered by the ADA of DPO/Sirsa. As such, no wrong was done by this office in granting approval to withdrawal the wrong promotion in the rank of Sub-Inspector granted to the complainant. There was no need to obtain approval from the State Govt. as no order of Govt. was to be annulled as already explained in above paras of this reply. The undersigned duly considered the case before granting approval to the SP/Sirsa vide this office memo. No. 1140/A-1 dated 14.01.2021. In this episode there was no role of Sh. Rajesh Kumar, Assistant of this office as he did not conceal any fact of the case and the same was properly considered by the undersigned. As such, the contents of this para are totally wrong and misleading and the same are denied in toto.

- (xiv) That the contents of para No. 14 of the complaint are totally wrong and denied. The story explained in this para is concocted. In this regard statement of ASI Ram Mehar No. 421/HSR posted as CRC in the office of the SP/Sirsa has been obtained. ASI Ram Mehar in his written statement dated 14.02.2021 has completely denied about the conversation between him and the complainant Gharsa Ram. His statement dated 14.02.2021 is self explanatory copy of which is also enclosed herewith. In his statement dated 14.02.2021, ASI Ram Mehar has completely denied the contents of this para.

Special Comment: - The special comments that an officer of the rank of S.P. has annulled the order of the former IGP are also wrong and denied. The SP/Sirsa has not annulled any order of the IGP as stated by the complainant. No order with date has been given by the complainant which has been annulled by the SP/Sirsa.

That last para of the complaint is a prayer clause which is also repudiated. In this episode there is no fault of any official of the office of SP/Sirsa, office of the IGP/Hisar and office of the DGP/Haryana. Therefore, no action is required to be taken against any official mentioned in the subject of the complaint dated 26.01.2021 submitted by the Retired ASI Gharsa Ram, please.

3. The para-wise comments on the complaint of Retired ASI Gharsa Ram are sent herewith as desired vide your office endorsement under reference. It is for your kind information and further necessary action, please.

(Sanjay Kumar)

-Sd-

Inspector General of Police,
Hisar Range, Hisar.

Thereafter, the Committee orally examined the departmental representatives and petitioner/applicant in its meeting held on 12.10.2021. The petitioner has failed to provide

any proof/document in which it may found that the promotion can be done even after the sentence. The Committee satisfied with the reply of the concerned department. The petition/representation was disposed of accordingly in its meeting held on 12.10.2021.

5. PETITION/REPRESENTATION RECEIVED FROM SH. SHER SINGH S/O SH. DHARAM SINGH, VILLAGE BASS RATANTHAL TEHSIL KOSLI, DISTRICT REWARI, REGARDING SEEKING THE PERMISSION TO RENEW OF LICENCE, WHICH READS AS UNDER:—

सेवा में,

माननीय चेयरमैन,
याचिका समिति,
हरियाणा विधान सभा, चण्डीगढ़।

विषय:—लाईसेंस नंबर एच.आर. 4719980206351 का नवीनीकरण कराने की ईजाजत देने बारे।

श्रीमान जी,

प्रार्थी निम्नलिखित निवेदन करता है कि —

1. यह कि प्रार्थी शेर सिंह पुत्र श्री धर्म सिंह निवासी गांव बास रतनथल तहसील कोसली जिला रेवाड़ी का रहने वाला है।
2. यह कि प्रार्थी ने अपना अदद एल.टी.वी. लाईसेंस साल 1998 में भिवानी अथॉरिटी से बनवाया था जो कि उक्त लाईसेंस साल 2016 तक वैध था।
3. यह कि इसके बाद प्रार्थी ने साल 2014 में भिवानी अथॉरिटी से एन.ओ.सी. आर.टी.ओ. रेवाड़ी के नाम जारी करवाकर अपने उक्त लाईसेंस को रेवाड़ी अथॉरिटी रोडवेज विभाग में हैवी की ट्रेनिंग करने के लिए रेवाड़ी अथॉरिटी से दिनांक 22.07.2014 में जनरल मैनेजर के आदेशानुसार लर्निंग लाईसेंस बनवाया था। जिसका क्रमांक 288 है। इसके बाद प्रार्थी ने हरियाणा रोडवेज रेवाड़ी से एक माह की ट्रेनिंग दिनांक 24.09.2014 से 29.10.2014 तक ली है। जिसका सीरियल नंबर 171 है।
4. यह कि इसके बाद प्रार्थी ने साल 2014 में उपरोक्त नंबरी हैवी लाईसेंस रेवाड़ी अथॉरिटी बनवा लिया था। जिसकी वैधता तिथि 16.11.2017 थी। इसके बाद प्रार्थी ने साल 2017 में अपने उक्त लाईसेंस को रेवाड़ी अथॉरिटी से ही रिन्यू करवा लिया था जिसकी वैधता तिथि 16.11.2020 थी।
5. यह कि इसके बाद प्रार्थी ने अपने उक्त हैवी लाईसेंस को रिन्यू करवाने के लिए एक दिन का कोर्स दिनांक 26.10.2020 को आर.टी.के./26 अक्टूबर 2020/0186514 ट्रेनिंग ली है।
6. यह कि अब प्रार्थी अपने उक्त लाईसेंस को रिन्यू करवाने के लिए रेवाड़ी अथॉरिटी में गया तो उन्होंने कहा कि आपका लाईसेंस ऑन लाईन नहीं हो रहा है और अब यह लाईसेंस रिन्यू नहीं होगा। आप दोबारा अपने लाईसेंस को नये सिरे से बनवा लो।

7. यह कि इस कारण प्रार्थी को काफी चक्कर विभाग के लगा रहा है जिसका अब तक कोई समाधान नहीं हुआ है और प्रार्थी प्राइवेट स्कूल का चालक है लाइसेंस के रिन्यू ना होने के कारण प्रार्थी को स्कूल से निकाल दिया है और अब प्रार्थी बेरोजगार हो गया है।

लिहाजा श्रीमान जी से निवेदन है कि उपरोक्त लाइसेंस को रिन्यू करवाया जाये।

आपकी अति मेहरबानी होगी।

प्रार्थी

हस्ता

शेर सिंह पुत्र श्री धर्म सिंह

निवासी गांव बास रतनथल

तहसील कोसली जिला रेवाड़ी

The Petition/Representation was placed before the Committee in its meeting held on 19.01.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

सेवा में,

श्री विष्णु देव, अवर सचिव,

हरियाणा विधान सभा सचिवालय।

क्रमांक 21856 / एटी-3/एसटी-II दिनांक: 26/04/2021.

विषय : Regarding seeking the permission to renew of licence.

उपरोक्त विषय पर आपके कार्यालय के पत्र क्रमांक एचवीएस/पिटिशन/14/748/2020-21/7689 दिनांक 19.04.2021 के संदर्भ में।

आपको अवगत करवाया जाता है कि विषयोक्त मामले में इस कार्यालय से संबंधित चालक लाइसेंस का नवीनीकरण कर दिया गया है। चालक लाइसेंस धारक की गई कार्यवाही से संतुष्ट है।

अतः यह आपको सूचनार्थ तथा आवश्यक कार्यवाही हेतु प्रेषित है।

हस्ता

(भारत भूषण)

सहायक सचिव (परिवहन)

कृते: परिवहन आयुक्त,

हरियाणा, चण्डीगढ़।

Thereafter, the Committee satisfied with reply of the concerned department. The Committee also received a letter from the petitioner/applicant, in which he stated that his grievance was resolved and thanked the Committee. The letter received from petitioner/applicant, is reads as under:—

सेवा में,

माननीय चेयरमैन,
याचिका समिति,
हरियाणा विधान सभा,
चण्डीगढ़।

श्रीमान जी,

सविनय निवेदन यह है कि मैंने लाईसेंस रिन्यू के बारे में आपकी याचिका शाखा में एक दरखास लगाई थी जिस में मेरा लाईसेंस रिन्यू हो गया है। मैं आपका तहदिल से अभिनंदन करता हूँ। आपका बहुत बहुत धन्यवाद करता हूँ।

भवदीय

हस्ता

शेर सिंह S/o श्री धर्म सिंह
गांव बास रतनथल
तहसील कोसली जिला रेवाड़ी

The Committee considered that application of petitioner, in its meeting held on 09.11.2021 and accordingly disposed of petition/representation.

6. PETITION/REPRESENTATION RECEIVED FROM SH. KARAN SINGH YADAV, VILLAGE RAMPURA, P.O. VATIKA INDIA NEXT SECTOR 82, GURUGRAM & OTHERS., REGARDING DENIAL POSSESSION OF HOUSES AND CHARGING INTEREST ARBITRARILY IN SECTOR-67 GURUGRAM BY VARDHMAN BUILDPROP PVT. LTD., WHICH READS AS UNDER:—

सेवा में,

श्रीमान चेयरमैन साहब,
याचिका समिति हरियाणा विधान सभा,
सेक्टर — 1, चण्डीगढ़।

विषय : सेक्टर 67 गुरुग्राम में 90% मकान की कीमत का भुगतान करने पर भी 6 साल से श्री वर्धमान बिल्डर द्वारा पोजेशन का न देना तथा मनमानी ढंग से ब्याज वसूलने के बारे में।

श्रीमान जी,

उपरोक्त विषयान्तर्गत

आपसे निवेदन है कि हमने 19 फरवरी 2011 को श्री वर्धमान मंत्रा प्रोजेक्ट गुरुग्राम सेक्टर-67 में युनिट नं. B-503, H-204 और H-208 बुक कराई थी और 90% प्लैट की कीमत सही समय पर भुगतान करने के बावजूद 6 साल की देरी होने पर भी आज तक पोजेशन नहीं दी गई है।

बिजली कनेक्शन के नाम पर बिल्डर 1.5 लाख रुपये प्रत्येक प्लैट वसूल रहा है। जो आज तक किसी भी अफोरडेबल प्रोजेक्ट में नहीं लिया गया।

जरनेटर बैकअप 2 किलोवाट अनिवार्य करके प्रत्येक प्लैट 50 हजार रुपये वसूले जा रहे हैं। बिजली बिल भी 23 रुपये प्रति युनिट के हिसाब से वसूला जा रहा है।

फाईनल डिमांड बिना ओ सी के ही भेजी जा रही है। और बिल्डर मनमानी ढंग से ब्याज वसूल रहा है। बिल्डर का बॉयर एग्रीमेंट एक तरफा है जो केवल उनके फेवर के लिए बनाया गया है।

महोदय जी, एक तरफ हरियाणा सरकार ऐसी योजना बना रही है कि बगैर घर वालों को घर मिले जबकि बिल्डर अफोरडेबल प्रोजेक्ट में भी मनमानी कर गरीबों को परेशान कर रहा है। अतः आपसे विनम्र प्रार्थना है कि उचित कार्यवाही शीघ्र करें।

प्रार्थी

हस्ता०/—

B-503—कर्ण सिंह व अन्य गांव रामपुरा,
डाकघर वाटिका इंडिया नैक्स्ट
सेक्टर-82, गुरुग्राम।

The Petition/Representation was placed before the Committee in its meeting held on 15.09.2020 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. Thereafter, the Committee orally examined the departmental representatives and petitioner/applicant in various meetings. The Director of Shree Vardhman Buildprop Private Limited did not appear before the Committee in the meetings and sent his subordinate, who were not able to take decision. The Committee has not satisfied with the subordinate and gave strict direction that your Director should be appear in the next meeting of the Committee. Thereafter, the Committee received a letter from the petitioners/applicants, in which their grievance was resolved and thanked the Committee. The letter received from petitioners/applicants, which reads as under:—

To

The Secretary
Haryana Vidhan Sabha Secretariat
Chandigarh, Haryana

Subject: Letter of Thanks.

Sir,

We have the pleasure in informing you that due to your best & proper guidance given in the Committee meeting held at Vidhan Sabha Chandigarh on 28 Sep 2021.

Mr. Sandeep Jain, Managing Director, Shree Vardhman Mantra Project, agreed to waive off the illegal interest & maintenance charges and handover the possession of flats on 12th November, 2021.

We thanks a lot to you and shall be grateful if you kindly convey our best regards to all Committee Members please.

Yours Sincerely

-Sd-

(All Petitioners)

The Committee considered the application of petitioners, in its meeting held on 18.11.2021 and accordingly disposed of petition/representation.

7. PETITION/REPRESENTATION RECEIVED FROM SHRI JAI BHAGWAN EX, SARPANCH AND OTHERS VILLAGE MATANHAIL, DISTRICT JHAJJAR, REGARDING DRAINAGE OF WATER FROM STREET AND FIRNI, WHICH READS AS UNDER:—

सेवा में,

माननीय चेयरमैन
याचिका समिति
हरियाणा विधान सभा,
चण्डीगढ़।

विषय : गली व फिरनी की पानी की निकासी बारे।

श्रीमान जी,

उपरोक्त विषय के संदर्भ में आप से सादर निवेदन है कि गांव मातनहेल के पोली पाना में गली व फिरनी पर पिछले 10 वर्षों से पानी भरा है। पानी की निकासी का कोई रास्ता नहीं है। अब पानी घरों में घुसने लगा है। बीमारियों के फैलने का डर आस-पास के घरों को सता रहा है। पानी की मात्रा इतनी ज्यादा है कि आदमी तो क्या पशु भी उस रास्ते से निकाले नहीं जाते हैं। आस-पास की सभी औरतें बहुत ज्यादा परेशान हैं। पानी की निकासी के लिए हमने ग्राम पंचायत मातनहेल व BDPO को भी बार-बार लिखित व मौखिक प्रार्थना कर चुके हैं।

आपसे नम्र निवेदन है कि हमारी समस्या का स्थायी समाधान करवाने कि कृप्या करें। ताकि भयंकर बीमारियों से बचा जा सके।

धन्यवाद।

हस्ता/-

श्री जय भगवान पूर्व सरपंच व अन्य
गांव मातनहेल।

The Petition/Representation was placed before the Committee in its meeting held on 15.01.2020 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 15 days. Thereafter, the Committee orally examined the departmental representatives and petitioner/applicant in its meeting held on 04.02.2020. The Committee directed to the departmental representations to constitute a Committee and it will be decided unanimously and decision of the Committee will be admitted by the all concerned.

The Committee received a letter from the petitioners/applicants, in which their grievances was resolved and thanked the Committee. The letter received from petitioners/applicants, which reads as under:—

सेवा में,

माननीय चेयरमैन
याचिका समिति
हरियाणा विधान सभा,
चण्डीगढ़।

विषय : गली व फिरनी की पानी की निकासी बारे।

श्रीमान जी,

उपरोक्त विषय के संदर्भ में आप से सादर निवेदन है कि आपके प्रयास व समिति कि मैंबर श्रीमती गीता भुक्कल विधायक झज्जर के प्रयास से हमारे गांव मातनहेल में इस समस्या का समाधान हो गया हैं अत सभी ग्रामवासी आपका इस समस्या के समाधान करने के लिए बहुत बहुत आभार व्यक्त करते हैं।

धन्यवाद।

हस्ता०/—

श्री जय भगवान पूर्व सरपंच व अन्य
गांव मातनहेल।

The Committee considered the application of petitioners in its meeting held on 25.01.2022 and accordingly disposed of petition/representation.

8. PETITION/REPRESENTATION RECEIVED FROM SHRI DHAN RAJ SARPANCH, VILLAGE GAWALISON DISTRICT JHAJJAR, AND OTHERS REGARDING CONSTRUCTION OF NEW BUILDING OF GOVT. MIDDLE SCHOOL, GAWALISON JHAJJAR, WHICH READS AS UNDER:—

सेवा में,

माननीय चेयरमैन
याचिका समिति
हरियाणा विधान सभा,
चण्डीगढ़।

विषय : राजकीय वरिष्ठ माध्यमिक विद्यालय ग्वालिसन (झज्जर) की नई बिल्डिंग बनवाने हेतु।

श्रीमान जी,

निवेदन यह है कि गांव ग्वालिसन के सरकारी स्कूल की नई ईमारत न बनने के कारण बच्चों का भविष्य खराब हो रहा है। बार-बार प्रशासनिक अधिकारियों से मिलने के बाद भी कोई समाधान

होता नजर नहीं आ रहा। बच्चे कड़ाके की ठण्ड में भी खुले में बैठने को मजबूर है। बच्चों की संख्या दिन-प्रतिदिन घटती जा रही है। स्कूल टूटने के कगार पर है।

अतः माननीय हमारी इस मांग को सरकार तक पहुंचाने का कष्ट करें। आपकी अति कृपा होगी।

निवेदक

-Sd-

श्री धनराज, सरपंच व अन्य
गांव ग्वालिसन जिला झज्जर।

The Petition/Representation was placed before the Committee in its meeting held on 15.01.2020 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 15 days. The Committee orally examined the departmental representatives and petitioner/applicant in its meeting held on 04.02.2020. The Committee directed to the departmental representatives to submit compliance report in which the matter has been resolved. The reply was received from the concerned department, which reads as under:—

To

The Secretary,
Haryana Vidhan Sabha,
Chandigarh.

Memo No.2/32-2020 works(2) dated Panchkula, 30.07.2021.

Subject:- Regarding status report of work of construction of New School Building at GSSS Gwalison District Jhajjar.

Ref.

Your office letter No. HVS/Petition/14/679/2019-20/603 dated 13.01.2021 on the subject cited above.

In this reference it is informed you that the work of construction of New School Building at GSSS Gwalison Distt. Jhajjar was allotted to contractual agency dated 11.06.2020 and the time period allotted to completed the work for 18 months i.e. from 11.06.2021 to 10.12.2021. The structure is erected and flooring work in progress and about 65% work has been completed and work will be completed within the stipulated time period upto 10.12.2021.

-Sd-

Assistant Director (Works)
for Director Secondary Education
Haryana Panchkula.

Thereafter, the Committee satisfied with reply of of department. The Committee also received a letter from the petitioners/applicants, in which they stated that their

grievance was resolved and thanked the Committee. The letter received from petitioners/ applicants, is reads as under:—

सेवा में,

माननीय चेयरमैन,
याचिका समिति,
हरियाणा विधान सभा,
चण्डीगढ़।

विषय : नये स्कूल का निर्माण पूरा होने बारे।

श्रीमान जी,

उपरोक्त विषय के संदर्भ में लिखा जाता है कि ग्रामवासियों व श्रीमती गीता भुक्कल विधायक झज्जर, याचिका समिति सदस्य के विशेष प्रयास से हमारे गांव ग्वालिसन में सरकारी स्कूल की नई ईमारत का निर्माण पूरा होने पर समस्त ग्रामवासी आपका बहुत बहुत आभार व्यक्त इस पत्र के माध्यम से कर रहे। आपका बहुत बहुत धन्यवाद।

निवेदक

हस्ता०/-

श्री नरेश कुमार, गांव
ग्वालिसन व अन्य

The Committee considered the application of petitioners in its meeting held on 25.01.2022 and accordingly disposed of petition/representation.

9. PETITION/REPRESENTATION FROM SMT. KAMLESH BHATIA H.NO. 442, SECTOR-11, FARIDABAD, REGARDING NOT DRAWN THE LEAVE ENCASHMENT OF SMT.KAMLESH BHATIA, WHICH READS AS UNDER:—

सेवा में,

चेयरमैन,
याचिका समिति,
विधानसभा हरियाणा,
चण्डीगढ़।

विषय: Leave encashment का भुगतान ना कर परेशान करने बारे।

महोदय,

मैं कमलेश भाटिया, जिला कार्यक्रम अधिकारी, महिला एवं बाल विकास, फरीदाबाद से दिनांक 30.06.2019 को सेवानिवृत्त हुई। सेवानिवृत्ति का केस मेरे द्वारा मुख्यालय को दिनांक 22.07.2019 को पेंशन व अन्य लाभो हेतु भिजवा दिया गया था। परन्तु विभाग के कुछ अधिकारी और कर्मचारियों द्वारा मेरा पेंशन केस रोक लिया गया। निदेशक महोदय व विभागीय मंत्री के हस्ताक्षर उपरान्त मेरा पेंशन

केस ए.जी. हरियाणा को दिनांक 05.12.2019 को भिजवाया गया व इसके पीछे कारण बताया गया कि सी.एम. विण्डों, जिसकी जाँच तीन बार तिथि 28.08.19, 26.09.19 व 29.11.19 विभागीय AO श्री कुलदीप सिंह द्वारा व एक बार रिटायर्ड आई.ए.एस. के द्वारा दिनांक 05.02.2020 को की गई। मेरी पेंशन दिनांक 29.01.2020 को मुझे प्राप्त हुई तथा उक्त अधिकारी/कर्मचारी द्वारा मेरी Leave encashment रोक ली गई। जिसके भुगतान की कार्यवाही आज दिनांक 17.06.2020 तक विभाग द्वारा नहीं की गई। जबकि मेरे द्वारा जाँच में हर स्तर पर सहयोग किया गया तथा बार-2 मांगे गये प्रपत्र उपलब्ध कराने पर भी जाँच रिपोर्ट सी.एम. कार्यालय में आज दिनांक 17.6.2020 तक उपलब्ध नहीं करवाई गई। मेरे पास जितना भी सम्बन्धित रिकार्ड था, वह सब मैंने चार बार (दो बार मुख्यालय पर एक बार जिला मुख्यालय पर व एक बार रिटायर्ड आई.ए.एस. को) उपलब्ध करवा दिया था। यदि अन्य रिकार्ड की आवश्यकता है तो वह विभाग से ही लेने का कष्ट करें। क्योंकि मैं एक रिटायर्ड अधिकारी हूँ तथा अन्य स्वास्थ्य कारणों से चण्डीगढ़ उपस्थित होने में असमर्थ हूँ। अतः मेरा Leave encashment with interest मुझे शीघ्र दिलवाने का कष्ट करें और मुझे मानसिक तनाव से बचाने का कष्ट करें।

धन्यवाद।

प्रार्थी

हस्ता०/—

कमलेश भाटिया

(Retd. D.P.O. Faridabad)

The petition/representation was placed before the Committee in its meeting held on 23.06.2020 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 15 days. The Committee orally examined the departmental representatives and petitioner/applicant in its meetings held on 28.07.2020. The Committee directed to departmental representatives send a complete detail report. The Committee further orally examined the departmental representatives and petitioners in its meetings held on 23.02.2021. The Committee made following observation, which reads as under:—

“समिति की संस्तुति

समिति ने चाहा है कि विभाग डी.डी. गौतम की रिपोर्ट को एग्जामिन कर लें क्योंकि डी.डी. गौतम की रिपोर्ट साक्ष्य के अनुरूप नहीं है बल्कि कंट्राडिक्टरी है। इसके साथ-साथ इस विषय को जिस साल से संबंधित बताया जा रहा है उस साल के ऑडिट विभाग का जो पैरा बना हुआ है उसमें श्रीमती मीनाक्षी का नाम आया हुआ है और पैटीशनर का नाम अर्थात् श्रीमती कमलेश भाटिया का नाम नहीं आया है, इस मैटर को भी चेक कर लिया जाये। श्रीमती कमलेश भाटिया अब रिटायर्ड भी हो चुकी हैं मगर इस मैटर के लम्बित होने के कारण उनके अपने रिटायरमेंट के ड्यूट रिलीज नहीं किये जा रहे हैं, इसलिए समिति ने यह भी चाहा है कि श्रीमती कमलेश भाटिया ने अपना रिकार्ड देखने की जो रिक्वैस्ट की है, तो उन्हें पर्सनल हीयरिंग देकर रिकार्ड दिखाया जाये और उसके बाद अगर पैटीशनर इस संबंध में अपनी सन्मिशन देना चाहेगी तो दे सकती है। समिति ने यह भी चाहा है कि पैटीशनर ने अपनी चार्जशीट का रिप्लाय तुरंत देने के बाद विभाग 14 दिन के अंदर-अंदर सहानुभूति पूर्वक निर्णय लेकर समिति को सूचित करे ताकि इस पैटीशन का जल्दी से जल्दी निपटान किया जा सके।”

सेवा में,

अवर सचिव,
हरियाणा विधान सभा सचिवालय।

क्रमांक 3615 / ई0ए02/डब्ल्यू0सी0डी0/2021 दिनांक 04/05/2021

विषय: श्रीमती कमलेश भाटिया क खिलाफ जारी धारा-8 के आरोप पत्र के निर्णय से अवगत करवाने बारे।

उक्त संदर्भित विषय पर आपके पत्र क्रमांक HVS/Petition/684/2020-21/5679 दिनांक 19.03.2021 के सन्दर्भ में।

आपको लिखा जाता है कि श्रीमती कमलेश भाटिया, महिला एवं बाल विकास परियोजना अधिकारी, फरीदाबाद (ग्रामीण) अब सेवानिवृत्त के खिलाफ जारी हरियाणा सिविल सेवा (दण्ड एवं अपील) नियम 2016 के नियम-8 के अर्न्तगत विभाग के पत्र क्रमांक 27851/ई0ए0/डब्ल्यू0सी0डी0/2021 दिनांक 07.09.2020 द्वारा जारी आरोप पत्र पर निर्णय लेते हुए आरोप पत्र को फाईल कर दिया गया है। निर्णय की एक प्रति आपको सूचनार्थ/आगामी कार्यवाही हेतु प्रेषित है।

हस्ता०/-

अधीक्षक (स्थापना-1)

कृते: महानिदेशक, महिला एवं बाल विकास
विभाग हरियाणा, पंचकुला।

महिला एवं बाल विकास विभाग, हरियाणा, पंचकुला

आदेश

पृ0 क्रमांक / स0क0(3)/डब्ल्यू0सी0डी0/2021 दिनांक

श्रीमती कमलेश भाटिया, तत्कालीन महिला एवं बाल विकास परियोजना अधिकारी, फरीदाबाद (ग्रामीण) (अब जिला कार्यक्रम अधिकारी, सेवानिवृत्त) के द्वारा की गई अनियमितताओं के लिए, हरियाणा सिविल सेवा (दण्ड एवं अपील) नियम 2016 के नियम 8 के अर्न्तगत ज्ञापन क्रमांक 27851/ई0ए02/डब्ल्यू0सी0डी0/2020 दिनांक 07.09.2020 जारी किया गया था, जिसमें उस पर निम्नलिखित आरोप थे:-

1. श्रीमती कमलेश भाटिया, तत्कालीन महिला एवं बाल विकास परियोजना अधिकारी, फरीदाबाद ग्रामीण (जिला कार्यक्रम अधिकारी सेवानिवृत्त) कार्यालय द्वारा वाहनों से संबंधित पूर्ण रिकार्ड मैनेटैन नहीं किया गया। जिससे यह नहीं पता चलता की कौन सी गाड़ी उपरोक्त अवधि में चलाई गई है तथा न ही यह पता चलता की वाणिज्य वाहन चला या प्राईवेट वाहन चलाया गया।
2. जिला कार्यक्रम अधिकारी, फरीदाबाद कार्यालय के पत्र क्रमांक 100 दिनांक 30.07.2020 के अनुसार वर्ष 2011-12 व 2014-15 से 2016 तक जिला कार्यक्रम अधिकारी द्वारा वाहन को एजेंसी द्वारा महिला एवं बाल विकास परियोजना अधिकारी, फरीदाबाद (ग्रामीण) कार्यालय

किराये पर लेने बारे टेंडर की कोई प्रक्रिया पूरी नहीं की गई और न ही कोई गाड़ी चलाने बारे अनुमति प्रदान की गई। आडिट रिपोर्ट का अवलोकन करने पर पाया गया कि जिस अवधि (2011-12 व 2014-15 से 2016) में टेंडर की प्रक्रिया पूरी नहीं की गई। उस अवधि में ऐसा कोई रिकार्ड उपलब्ध नहीं करवाया गया जिससे यह पता चल सके कि कार्यालय में यह गाड़ी नियमानुसार चली है।

3. श्रीमती कमलेश भाटिया, तत्कालीन महिला एवं बाल विकास परियोजना अधिकारी, फरीदाबाद, ग्रामीण (अब जिला कार्यक्रम अधिकारी सेवानिवृत्त) के बारे आडिट के दौरान महिला एवं बाल विकास परियोजना अधिकारी, फरीदाबाद ग्रामीण द्वारा अगस्त 2010 से फरवरी 2016 तक की अवधि में कार्यालय प्रयोग हेतु वाहनों के बिलों के भुगतान अनियमितता बरतते हुए वित्तीय नियमों की अवहेलना की गई है। इस प्रकार आप द्वारा अपनी शक्तियों को दुरुपयोग किया गया जो कि एक गम्भीर अनियमितता है।”

दिनांक 23.02.2021 को श्रीमती कमलेश भाटिया, तत्कालीन महिला एवं बाल विकास परियोजना अधिकारी, फरीदाबाद, ग्रामीण (अब जिला कार्यक्रम अधिकारी सेवानिवृत्त) उन पर लगाये गए सभी आरोप का जवाब देते हुए अधिकारीगण से आरोप पत्र फाईल करने का अनुरोध किया है तथा यदि अधिकारीगण उनके जवाब से सन्तुष्ट नहीं हो तो अधिकारी द्वारा व्यक्तिगत सुनवाई बारे अनुरोध किया गया है।

श्रीमती कमलेश भाटिया, तत्कालीन महिला एवं बाल विकास परियोजना अधिकारी, फरीदाबाद, ग्रामीण (अब जिला कार्यक्रम अधिकारी सेवानिवृत्त) का जारी आरोप पत्र में लगाए गए आरोपों व अधिकारी द्वारा दिए गए उत्तर का अवलोकन करने पर उपरान्त दिनांक 23.02.2021 को निजी सुनवाई में अधिकारी का पक्ष सुनने के उपरान्त अधिकारी द्वारा दिया गया उत्तर निम्न हस्ताक्षरी द्वारा संतोषजनक प्रतीत होता पाया गया है।

श्रीमती कमलेश भाटिया, तत्कालीन महिला एवं बाल विकास परियोजना अधिकारी, फरीदाबाद, ग्रामीण (अब जिला कार्यक्रम अधिकारी सेवानिवृत्त) को जारी धारा-8 के आरोप पत्र में लगाए गए आरोपों, उससे सम्बन्धित रिकार्ड तथा उस द्वारा दिए गए उत्तर का अवलोकन करने उपरान्त मैं, श्रीमती कमलेश भाटिया, के जवाब से सन्तुष्ट होते हुए आरोप पत्र को फाईल करते हुए उसको जारी धारा-8 के आरोप पत्र का निपटान करती हूँ।

हस्ता०/-

डॉ० रेनू एस० फुलिया

महानिदेशक, महिला एवं बाल विकास विभाग,
हरियाणा, पंचकुला।

Thereafter, the Committee satisfied with reply of department. The Committee also received a letter from the petitione/applicant, in which she stated that her grievance was resolved and she thanked the Committee. The letter received from petitioner/applicant, is reads as under:—

सेवा में,

चेयरमैन,
याचिका समिति,
विधानसभा हरियाणा,
चण्डीगढ़।

विषय : Leave encashment का भुगतान करवाने पर धन्यवाद करने बारे।

महोदय,

मैं, कमलेश भाटिया, जिला कार्यक्रम अधिकारी, महिला एवं बाल विकास, फरीदाबाद रिटायर्ड जिसका Leave encashment का भुगतान एक गलत आर.टी.आई के कारण विभाग द्वारा रोक लिया गया था। कुछ कर्मचारी/अधिकारियों द्वारा मेरे मामले को गलत तरीके से प्रस्तुत कर विभाग के उच्च अधिकारियों को भ्रमित कर चार्जशीट भी जारी करा दी गई थी। मान्य याचिका समिति विधानसभा हरियाणा के आदरणीय चेयरमैन व सभी सम्मानित समिति सदस्यों, अधिकारी गण द्वारा मेरे मामले को भली प्रकार से समझा गया। माननीय याचिका कमेटी द्वारा लिये गये संज्ञान से मुझे न्याय की प्राप्ति हुई, जिसके लिए पिछले 2 वर्षों से मैं अपने विभाग से संघर्ष कर रही थी। माननीय याचिका समिति द्वारा मेरे मामले का पूर्ण व सही रूप से निपटान करते हुए मेरी लीव इन कैशमेंट का भुगतान कर दिया गया है, जिसके लिए मैं एक बार पुनः माननीय चेयरमैन साहब व याचिका समिति के सभी सम्मानित सदस्यों व अधिकारीगण (विशेषतया श्री विष्णु जी) का करबद्ध धन्यवाद करती हूँ।

हस्ता०/-

(कमलेश भाटिया)

सेवानिवृत्त, जिला कार्यक्रम अधिकारी,
फरीदाबाद

The Committee considered that application of petitioner in its meeting held on 25.01.2022 and accordingly disposed of petition/representation.

10. PETITION/REPRESENTATION RECEIVED FROM SMT. RENU W/O SH. RAJESH GILL, H.NO. 640, ANGEL MALL SECTOR-11, HOODA TEH. & DISTRICT PANIPAT REGARDING TRANSFER OF HOUSE IN MY NAME, WHICH READS AS UNDER:—

सेवा में,

श्रीमान चेयरमैन साहब,
याचिका समिति हरियाणा विधान सभा
सैक्टर - 1, चण्डीगढ़।

विषय: प्रार्थना पत्र बाबत ट्रान्सफर ना करने व आनाकानी करने बारे।

श्रीमान जी,

निवेदन है कि रेणू पत्नी श्री राजेश गिल निवासी नम्बर 640, एंजल माल सैक्टर 11, हुडा तहसील व जिला पानीपत की निवासी हूँ। यह कि एक किता मकान नम्बर 1224 पी रकबा

51.25 वर्गगज वाका सैक्टर 11 अन्दर सीमा नगर निगम हाउसिंग बोर्ड कालोनी तहसील व जिला पानीपत बरुए विक्रयपत्र वसीका नम्बर 938/1 दिनांक 18/06/2020 सब रजिस्ट्रार पानीपत की रुह से मेरी मलकीयत है। यह कि मैंने हाउसिंग बोर्ड विभाग ट्रान्सफर के लिए लगभग 2 माह पहले अप्लाई किया था। लेकिन अभी तक मेरे नाम पर ट्रान्सफर नहीं हो पाई है व जब मैं हाउसिंग बोर्ड कार्यालय में गई तो वहा पर मौजूदा क्लर्क मुझसे कहता कि आपकी फाईल कार्यालय में से कहीं पर गुम हो गयी है। आप हमें 10,000/- रुपये दे दो हम आपकी फाईल पास करवा कर ट्रान्सफर भी कर देंगे तो मैंने उनसे कहा कि राशि मिलने उपरान्त फिर फाईल आपके कार्यालय में से कैसे मिल जायेगी तो वह मुझसे कहने लगा कि आपको काम से मतलब है तो मैंने कहा कि मेरे पास इतने पैसे नहीं हैं तो वह मुझसे कहने लगा कि आप दुबारा फाईल लगाओ फिर दुबारा चक्कर इत्यादि काटो तब देखते हैं कि आपकी फाईल पास करेंगे। तो मुझे कोई सन्तोषजनक जवाब ना देते हुए वह टाल मटोल करने लगा व मेरे पास आनलाईन के मैसेज भी आये हुए हैं।

अतः आपसे प्रार्थना है कि मैंने जो ट्रान्सफर की फाईल लगाई हुई है वह पास की जावे। मेरा नाम हाउसिंग बोर्ड में ट्रान्सफर किया जावे व इनके खिलाफ कार्यवाही की जावे ताकि किसी अन्य के साथ यह ना कर सके।

आपकी अति कृपा होगी।

धन्यवाद।

प्रार्थीया

हस्ता/-

रेणू पत्नी श्री राजेश गिल निवासी
मकान नम्बर 640, एंजल माल
सैक्टर 11, हुडा तहसील व जिला
पानीपत।

The Petition/Representation was placed before the Committee in its meeting held on 22.12.2020 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

To

The Secretary,
Haryana Vidhan Sabha Secretariat,
Chandigarh.

No. HBH/Admn-4/2021/561

Dated: 18-01-2021

Subject: Regarding the application not transfer the house in my name.

Kindly refer to your office letter No. HVS/Petition/742/2020-21/19499 dated 29.12.2020 on the above noted subject.

It is to inform that House No. 1224/P having area of 51.25 Sq. Yd. in Sec.-11-12, Housing Board Colony, Panipat has been transferred vide letter No. 00499 dated 05.01.2020 in favour of Smt. Renu without going into the merit of the case. Further, a detailed enquiry pertaining to missing file of transfer case is being conducted by the undersigned separately. Disciplinary action under Rule-4 (b) of Haryana Civil Services (P&A) Rules, 2016 against the erring officials would be taken accordingly.

This is for kind information of the Committee on Petition of Haryana Vidhan Sabha.

-Sd-

Supdt. (Admn),
For Chief Administrator,
Housing Board Haryana,
Panchkula,

Thereafter, the Committee satisfied with the reply of the concerned department. The Committee also received a letter from the petitioner/applicant, in which she stated that her grievance was resolved and thanked the Committee. The letter received from petitioner/applicant, is reads as under:—

सेवा में,

श्रीमान चेयरमैन साहब,
याचिका समिति, हरियाणा विधान सभा,
सैक्टर – 1, चण्डीगढ़।

श्रीमान जी,

निवेदन यह है कि मैंने याचिका समिति में मकान बदलने के बारे याचिका लगाई थी जिसका समाधान आपकी समिति के माध्यम से हो गया है मेरे इस कार्य का समाधान करवाने पर आपका आभार प्रकट करती है।

धन्यवाद।

प्रार्थीया

हस्ता०/—

रेणू पत्नी श्री राजेश गिल
निवासी मकान नम्बर 640, एंजल माल
सैक्टर 11, हुडा तहसील व जिला
पानीपत।

The Committee considered that application of petitioner in its meeting held on 25.01.2022 and accordingly disposed of petition/representation.

11. PETITION/REPRESENTATION RECEIVED FROM SHRI ROSHAN LALS/O SH. RANBIR SINGH VILLAGE BAL RAJPUTAN DISTRICT KARNAL REGARDING PROMOTION TO HINDI LECTURER IN ORDER DATED 29.11.2019 OF PUNJAB AND HARYANA HIGH COURT, WHICH READS AS UNDER:—

सेवा में,

श्रीमान चेयरमैन साहब,
याचिका समिति, हरियाणा विधान सभा,
सेक्टर — 1, चण्डीगढ़।

विषय : माननीय पंजाब एवं हरियाणा उच्च न्यायालय के आदेश दिनांक 29.11.2019 की पालना में हिन्दी प्राध्यापक के पद पर पदोन्नति करने बारे।

श्रीमान जी,

निवेदन यह है कि मैं रोशन लाल पुत्र श्री रणबीर सिंह वासी गांव बाल रामपूतान जिला करनाल का हूं जो कि हरियाणा शिक्षा विभाग में रा0 मा0 वि0 गौरगढ़-4438 जिला करनाल में बतौर ई एस एच एम के पद पर कार्यरत हूं। मेरी वरिष्ठता के आधार पर हिन्दी प्राध्यापक के पद पर पदोन्नति नहीं दी गई थी। जिस पर मैने पंजाब एवं हरियाणा उच्च न्यायालय चण्डीगढ़ में सिविल रिट पटिशन नं0 34180 ऑफ 2019 दायर की थी। जिस पर माननीय उच्च न्यायालय ने गौर फरमाते हुये मेरी रिट पटिशन को दिनांक 29.11.2019 को स्वीकार करते हुए रिट पटिशन में प्रतिवादी नं0 2 को हिदायत की थी। मुझे मेरी वरिष्ठता के आधार पर हिन्दी प्राध्यापक के पद पर पदोन्नति दे दी जाये। मेरे से जूनियर श्री वीरेन्द्र सिंह आई डी0 नं0 026024 को पदोन्नत कर दिया है और मुझे छोड दिया है।

यह है कि इस आदेश के बावजूद भी मुझे पदोन्नति ना दिये जाने पर मैने दिनांक 10.01.2020 को आप की सेवा में एक प्रार्थना पत्र भी दिया था जो कि आप के कार्यालय के डायरी नं0 1590 दिनांक 10.01.2020 पर प्राप्ति है। इससे पहले भी दिनांक 19.12.2019 को मैने आप के कार्यालय में एक प्रार्थना की कॉपी दी थी। मेरे द्वारा बार-बार प्रार्थना पत्र दिये जाने पर भी मुझे आज तक पदोन्नति नहीं दी।

यह है कि जबकि निदेशक सैकेण्डरी कार्यालय से मेरे पास एक पत्र क्रमांक नं0 13/70 पीजीटी 1(3) दिनांक 22.06.2020 को आया था। जिसमें बकायदा मेरे द्वारा दायर की गई पटिशन का भी पूरा हवाला है और इस पत्र के माध्यम से मैनें जो भी दस्तावेज सैकेण्डरी शिक्षा द्वारा 22.06.2020 को मांगे गए थे वो दस्तावेज बी.ओ. इन्द्री के माध्यम से 02.07.2020 को आपकी सेवा में आपके कार्यालय को भेज दिए थे। मुझे माननीय न्यायालय के आदेशो के उपरान्त पदोन्नति ना मिलने पर भारी आर्थिक नुकसान भी हो रहा है और मुझे मानसिक परेशानी भी हो रही है।

इसलिये मेरी आप से प्रार्थना है कि उपरोक्त तथ्यों के आधार पर मुझे हिन्दी प्राध्यापक पद पर पदोन्नति करवाने की कृप्या करें। आप की अति कृपा होगी।

प्रार्थी

हस्ता०/—

रोशन लाल आई0 डी0 नं0 026018
इएसएचएम जीएमएस गौरगढ़-4438
करनाल।

The petition/representation was placed before the Committee in its meeting held on 20.10.2020 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

सेवा में,

सचिव,
हरियाणा विधान सभा सचिवालय,
चण्डीगढ़।

यादी क्रमांक Kw 13/70-2020 पी0जी0टी0-। (3)

दिनांक, पंचकूला - 29/06/2021

विषय : Regarding promotion to the post of Hindi Lecturer in compliance of order dated 29.11.2019 of Hon'ble Punjab and Haryana High Court.

उपरोक्त विषय पर आपके पत्र यादी क्रमांक HVS/Petition/728/2020-21/19093 दिनांक 18.12.2020 व स्मरण पत्र दिनांक 19.04.2021 के संदर्भ में।

विषयांकित मामले में आपको सूचित किया जाता है कि माननीय उच्च न्यायालय द्वारा सी0डब्ल्यू0पी0 नं0 34810 ऑफ 2019 - रोशन लाल बनाम हरियाणा सरकार तथा अन्य केस में पारित आदेश दिनांक 29.11.2019 की अनुपालना में वादी श्री रोशन लाल, ई0एस0एच0एम0, राजकीय वरिष्ठ माध्यमिक विद्यालय, गौरगढ़ (करनाल) को उसके कनिष्ठ श्री विरेन्द्र सिंह, पी0जी0टी0 हिन्दी, रा0मा0व0मा0वि0, निगधु (करनाल) की पदोन्नति तिथि 06.05.2016 से notionally आधार पर पी0जी0टी0 हिन्दी के पद पर पदोन्नति सक्षम अधिकारी से अनुमोदन प्राप्त होने उपरांत निदेशालय के आदेश क्रमांक 13/70-2020 पी0जी0टी0-। (3) दिनांक 03.06.2021 के तहत पदोन्नति आदेश जारी कर दिये गये हैं।

अतः सूचना आपकी सेवा में आवश्यक कार्यवाही हेतु प्रेषित है।

हस्ता

सहायक निदेशक पी0जी0टी0-।
कृते: निदेशक सैकेण्डरी शिक्षा,
हरियाणा, पंचकूला।

Thereafter, the Committee satisfied with reply of the department, in which matter has been resolved. The petition/representation was disposed of accordingly in its meeting held on 01.02.2022.

12. PETITION/REPRESENTATION RECEIVED FROM SHRI MALKIAT SINGH S/o SH. PRITAM SINGH, RESIDENT OF FLAT NO. 202, GHS-4, SECTOR-23, PANCHKULA REGARDING SETTLEMENT OF ELECTRICITY BILL FOR CONSUMER NO. 6329422224, WHICH READS AS UNDER:—

To

The Hon'ble Chairperson,
Committee on Petitions,
Haryana Vidhan Sabha, Chandigarh.

Subject: Regarding settlement of Electricity Bill for consumer Number– 6329422224.

Respected Sir,

Most respectfully, I beg to state as under:-

1. that, I reside in Flate No. 202, GHS-4, Sector-23, Panchkula;
2. that, since the installation of Smart Meters, the electricity bill is not being sent by the UHBVN, as per my actual reading/consumption;
3. that, the bills are being sent at very high rate;
4. that, I have complained in the month of August,2020 for sending the corrected bill as per my actual reading/consumption;
5. that, thereafter, I again requested for the settlement of my grievance in respect of electricity bill vide my application dated 23.11.2020.
6. that, I have also deposited Rs. 8000/- (Rupees eight thousand only) on 23.11.2020 as directed by the SDE, Madanpur, Power Colony, Panchkula and thereafter, Rs.3000/- on 24.12.2021;
7. that, My father have also visited number of times for the redressal of my grievance, but in vain;
8. that, I am being served notices for depositing Rs.86480/-, Rs.37151/- and Rs.36430/-.
9. that, above said notices are exorbitantly higher of my actual consumptions;
10. that, it may be pertinent to mention here that I have come to know that the Smart Meter issued for the my Flat No. 202, GHS-4, Sector-23, Panchkula has been installed in Flat No. 903 and the Smart Meter issued for flat no. 903, GHS-4, Sector-23, Panchkula has been installed in Flat No. 202, GHS-4, Sector-23, Panchkula;

In view of the facts stated above, I would request the Hon'ble Committee on Petitions to take appropriate action in the matter as deems fit to the Committee.

Thanking you.

Petitioner,

-Sd-

Malkiat Singh,
Flat No. 202, GHS-4,
Sector-23, Panchkula.

The Petition/Representation was placed before the Committee in its meeting held on 27.01.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

To

Secretary,
Haryana Vidhan Sabha,
Chandigarh.

Memo No. Ch-147/Dy. Secy Project/Date 06.04.2021

Subject: Regarding settlement of electricity bill for consumer number 6329422224 of Sh. Malkiat Singh's complaint received from Haryana Vidhan Sabha.

Kindly refer to your office Memo No. HVS/Petition/14/748/2020-2021/1544 dated 28.01.2021 & Dy. Secy Project, UHBVN Panchkula office Memo no. Ch-34/DSP-9/Vol-XXIV 19.03.2021 on the above subject cited matter.

The reply of the said complaint has already been sent to CE/Commercial, UHBVN Panchkula vide SE 'OP' Circle UHBVN Ambala Memo No. SPL-1 dated 22.02.2021 The detail of the case is reproduced as under please :-

That the new electricity connection of Sh. Malkiat Singh, A/c No. 6329422224 (10KW) was released vide application no. A26-1119-66/08.11.2019 with meter serial no. 18687240, Make/L&T on 15.11.2019 whereas meter Serial No. 18686931 recorded/updated with system wrongly (actually issued & installed vide application No. A-26-119-24 at #903, GHS04, Sector-23, Panchkula. The mistake was again repeated while replacement of ordinary whole current meter with smart meter vide receipt No. 105/5240 on 26.06.2020. It was pointed out that there is some mismatch and actual status report prepared vide receipt no. 277/13803 dated 26.06.2020. The consumer/user has submitted a representation on 23.11.2020 and a part payment of Rs. 8000/- being approximate consumption calculated after going through the status of the case & the same was deposited by the consumer/user on 23.11.2020 against total outstanding Rs. 86480/- (bill no. 632946701745/20.11.2020. The site meter status updated and revised bill amount to Rs. 37151/- issued vide bill no. 632947331942 on 26.11.2020. The consumer/User has deposited Rs. 3000/- again as per payment on 24.12.2020. Further, an adjustment of Rs. 40171/- prepared vide SC & AR No. 48/29/21 dated 10.02.2021 being wrong updation of previous meter reading as 6584 against actual meter reading 1952 and same has been uploaded with system vide case ID No. 0408282811/10.02.2020 updated with consumer account. The bill of the consumer has been adjusted as per Nigam Instructions. And the copy of consumer satisfaction report is also attached herewith for ready reference.

This is for your kind consideration & further necessary action please.

DA/As above

-Sd-

Executive Engineer,
'OP' Division,
UHBVN, Panchkula

To

SDO (E),
'OP' Division,
UHBVN, Panchkula

Subject: Regarding Correction of Electrical Bill.

Sir,

This is to inform that I have received the correction bill for my Flat No. 202, GHS04, Sector 23, Panchkula. I am satisfied with the correction done.

Regards.

-Sd-

Malkiat Singh, Flat No. 202, GHS-4,
Sector-23, Panchkula

Thereafter, the Committee satisfied with reply of concerned department, in which matter has been resolved, in its meeting held on 01.02.2022 and accordingly disposed of petition/representation.

13. PETITION/REPRESENTATION FROM SHRI RAMAN KUMAR GUPTA, HOUSE NO. 793, SECTOR-7, PANCHKULA & OTHERS., REGARDING COMPLAINT ABOUT NONE-ISSUE U.I.D. NUMBER IN SECTOR-30, URBAN COMPLEX, PINJORE, TEHSIL KALKA, DISTRICT, PANCHKULA., WHICH READS AS UNDER:—

सेवा में,

श्रीमान् चेयरमैन महोदय,
याचिका समिति, हरियाणा विधानसभा
चण्डीगढ़।

विषय : पिंजौर तहसील कालका जिला पंचकुला हरियाणा सैक्टर-30, अर्बन कॉम्प्लेक्स में यू.आई. डी. नम्बर जारी ना होने बारे शिकायत।

श्रीमान् जी,

निवेदन है कि जनाब से प्रार्थना है कि पिंजौर तहसील कालका जिला पंचकुला हरियाणा में हुडा विभाग द्वारा सैक्टर-30 काटा गया है। जिसके प्लॉटों की अलॉटमेंट हो चुकी है। जो कि उक्त सैक्टर के अलॉटी अपने प्लॉटों की कन्वीयंस डीड करवाना चाहते हैं। उक्त प्लॉटों की कन्वीयंस डीड रजिस्ट्रेशन करवाने के लिए यू.आई.डी. नम्बर की आवश्यकता पड़ती है। जो कि नगर परिषद् कालका द्वारा जारी किया जाता है। सैक्टर-30, सरकारी कालोनी होने के बावजूद आज तक यू.आई.डी. नम्बर अलॉट ना किए गए हैं। इस बाबत विभाग में कई बार शिकायत की गई परन्तु विभाग ने इस बाबत कोई कार्यवाही नहीं की है।

अतः जनाब से प्रार्थना है कि सैक्टर-30 पिंजौर में यू.आई.डी. नम्बर लगाने बाबत उचित आदेश प्रदान करने की कृपा करें और आज तक सैक्टर-30 पिंजौर में यू.आई.डी. नम्बर ना लगाकर

आम जनता को परेशान करने बाबत विभाग के कर्मचारियों व अधिकारियों के खिलाफ सख्त कार्यवाही की जावे।

धन्यवाद सहित।

प्रार्थीगण

हस्ता०/-

श्री रमन कुमार गुप्ता, व अन्य
मकान न. 793, सेक्टर-7, पंचकूला।

The petition/representation was placed before the Committee in its meeting held on 13.04.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

To

The Secretary,
Haryana Vidhan Sabha Secretariat.

Memo No.: CTP-II/DULB/2021/223

Date: 11.05.2021

Subject: Regarding complaint about non-issue U.I.D. Number in Sector-30, Urban Complex, Pinjore, Tehsil Kalka, District, Panchkula.

Kindly refer your letter no HVS/Petitions/753/2020-21/8275 dated 07.05.2021 and letter no HVS/Petitions/753/2020-21/7584 dated 16.04.2021 on the subject cited above.

Vide above letters, it was requested to send the report regarding complaint about none-issue U.I.D. Number in Sector-30, Urban Complex, Pinjore, Tehsil Kalka, District, Panchkula.

In this regard, it is submitted that the Municipal Council Kalka vide their letter no 110 dated 11.05.2021 has informed this office that the UID (Property ID) in Sector-30, Urban Complex, Pinjore, Tehsil kalka, District, Panchkula has been generated.

Submitted for your kind information.

-Sd-

Chief Town Planner-II
for Director, Urban Local
Bodies, Haryana, Panchkula.

Thereafter, the Committee satisfied with reply of the concerned department, in which the matter has been resolved, in its meeting held on 01.02.2022 and accordingly disposed of petition/representation.

14. PETITION/REPRESENTATION FROM SMT. SHEELA DEVI, VILLAGE SAHJADPUR, DISTRICT YAMUNANAGAR, REGARDING NON-RECEIPT OF KANYADAN AMOUNT AND DEMANDING BRIBE BY SMT. USHA ARORA, WHICH READS AS UNDER:—

सेवा में,

श्रीमान् चेयरमैन महोदय,
याचिका समिति, हरियाणा विधानसभा
चण्डीगढ़।

विषय : कन्यादान राशि न मिलने के बावत व कमीशन मांगने बारे।

श्रीमान् जी,

निवेदन यह है कि मैं शीला देवी पत्नी मामचंद जी निवासी ग्राम शहजादपुर, जिला यमुनानगर की स्थायी निवासी हूं। मेरी लड़की मोनिका देवी की शादी अश्वनी कुमार निवासी नारायणगढ़ के साथ नवम्बर 2020 के महीने में हुई थी। जिसमें लेबर डिपार्टमेंट यमुनानगर की मुखिया श्रीमति उषा अरोड़ा जी ने एक किश्त हमें कागजों के आधार पर प्रदान कर दी है परन्तु दूसरी किश्त देने में आनाकानी कर रही हैं और कह रही हैं कि पहले मुझे मेरा हिस्सा दिया जाये उसके बाद आपको दूसरी किश्त मिलेगी नहीं तो मैं बार बार ओब्जेक्शन लगाती रहूंगी। अतः आपसे गुजारिश है कि मैं एक विधवा महिला हूं और रोजाना मिस्ट्री के पास मजदूरी करके बड़ी मुश्किल से गुजारा चला रही हूं। कृपया आप मुझे मेरा दूसरी किश्त दिलवायें। आपकी अति कृपा होगी।

प्रार्थी

हस्ता०/—

शीला देवी पत्नी मामचंद जी,
निवासी ग्राम शहजादपुर, जिला यमुनानगर

The Petition/Representation was placed before the Committee in its meeting held on 09.07.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

To

The Secretary,
Haryana Vidhan Sabha, Chandigarh.

Memo No.: HBOCWVB/2021/1296

Date: 11.08.2021.

Subject: Regarding non-receipt of Kanyadan amount and demanding bribe by Smt. Usha Arora in the case of Smt. Sheela Devi W/o Sh. Mam Chand.

Kindly refer to your letter No. HVS/Petition/ 772/2021-22/19057-58 dated 22.07.2021, on the subject cited above.

In this regard, it is submitted that the Haryana Building and other Construction Workers Welfare Board provides financial assistance under kanyadan scheme i.e. Rs. 50,000/- prior to the marriage for making arrangements of marriage and Rs.51,000/- as

financial assistance under Kanyadan Scheme on the marriage of the daughter of the beneficiary.

In this case out of the total assistance of Rs. 1,01,000/- a sum of Rs.50,000/- has already been released and the balance amount of Kanyadan benefit i.e.Rs. 51,000/- was rejected by the concerned Assistant Welfare Officer, BOCW, Yamuna Nagar for want of verification of 90 days work experience certificate.

Further, it is submitted that now the Deputy Director, IS&H, Ambala has approved the claim of Rs. 51,000/- and released the same benefit to the applicant in hier Aadhar linked Bank Account No. 561001700234726 Punjab National Bank on dated 30.07.2021 through NPCI.

The above compliance report is submitted for kind consideration and with the request to file the matter.

-Sd-

Joint Secretary
for Additional Chief Secretary
to Government Haryana Labour
Department.

Thereafter, the Committee satisfied with reply of the concerned department, in which matter has been resolved, in its meeting held on 01.02.2022 and accordingly disposed of petition/representation.

15. PETITION/REPRESENTATION FROM SHRI RAMSHARAN S/O SH. FAGGU RAM, VILLAGE PANJUPUR, TEHSIL JAGADHRI, DISTRICT YAMUNANAGAR, REGARDING FINANCIAL AID FOR TECHNICAL COURSE FROM LABOUR DEPARTMENT, WHICH READS AS UNDER:—

सेवा में,

माननीय चेयरमैन,
पेटिशनर कमेटी,
विधानसभा हरियाणा, चण्डीगढ़।

विषय : लेबर डिपार्टमेंट से टैक्निकल कोर्स के लिए वित्तीय सहायता दिलाने बारे।

श्रीमान् जी,

प्रार्थी निम्नलिखित प्रार्थना करता है कि

1. यह कि प्रार्थी निवासी गांव पांजू पुर तहसील जगाधरी जिला यमुनानगर का रहने वाला है और लेबर डिपार्टमेंट में बतौर कारपेन्टर का काम करता है और लेबर डिपार्टमेंट में बतौर कारपेन्टर खाता बनाया हुआ है जिसका नम्बर राम 60150 ऑफलाईन 603024477 है।
2. यह कि प्रार्थी ने दिनांक 22.11.2019 को प्रोफाइल/टैक्निकल कोर्स के लिए वित्तीय सहायता स्कीम के तहत अपने लड़के पवन कुमार के लिए आवेदन किया था। प्रार्थी हर प्रकार से पात्र था और सभी जरूरी दस्तावेज लगाने के बाद मैडम उषा अरोड़ा ने दिनांक 18.03.2020 को

डी.डी. सुरेन्द्र सिंह अम्बाला को केस मंजूर करने के लिए भेज दिया था परन्तु केस मंजूर ना किया गया और जो कागज दिये थे उनको दोबारा मांगकर परेशान किया गया और फाईल को कैंन्सिल कर दिया गया। प्रार्थी ने इस बार दफ्तर में पता किया जिस पर प्रार्थी को कोई सन्तोषजनक जवाब नहीं दिया गया बल्कि यह कह दिया कि दोबारा से केस लगाओ।

3. यह कि प्रार्थी ने उक्त स्कीम के तहत दिनांक 29.06.2020 को दोबारा फाइल लगाई गई और सभी जरूरी कागजात देने के उपरान्त दिनांक 20.09.2020 को मैडम उषा अरोड़ा ने केस का मंजूरी के लिए डी.डी. सुरेन्द्र सिंह अम्बाला को भेज दिया गया परन्तु आगे से कोई जवाब आये बिना ही दिनांक 06.11.2020 को मैडम ने खुद ही दोबारा आपत्ति लगाई जो कि निराधार है। और केस को कैंन्सिल कर दिया गया और फिर जब मैडम से सम्पर्क किया गया तो दोबारा केस लगाने को कहा गया और सारी आपत्तियों को पूरा करने के बाद केस उषा मैडम ने दिनांक 25-01-2021 को डी.डी. सुरेन्द्र सिंह अम्बाला को केस मन्जूरी के लिए भेज दिया और तब से आज तक विभाग में फाईल इधर से उधर की जा रही है परन्तु मुझे प्रार्थी को कोई लाभ नहीं दिया गया और मेरे लड़के पवन ने बी.टेक. की डिग्री 2017-21 की है जिसकी फीस निम्नलिखित है कि:-

तारीख फीस रसीद	सेशन	साल	रकम
23-06-2017	2017-18	पहला साल	22319 रुपये
24-07-2018	2018-19	दूसरा साल	16167 रुपये
22-07-2019	2019-20	तीसरा साल	16350 रुपये
31-08-2020	2020-21	अन्तिम साल	16350 रुपये
कुल रकम			71186 रुपये
बस पास 2458 गुणा 6			14748 रुपये
कुल रकम			85934 रुपये

अतः जनाब से प्रार्थना है कि मेरे को बहुत परेशान किया गया है। अब जल्द से जल्द मेरे को मेरा अनुदान दिलवाया जावे और दोषीगण के खिलाफ कानूनी कार्यवाही की जावे।

धन्यवाद सहित

प्रार्थी

हस्ता

रामशरण पुत्र श्री फगूराम,
निवासी पांजूर, तहसील जगाधरी, जिला यमुनानगर
आई.डी. नं० RAM 60150.

The Petition/Representation was placed before the Committee in its meeting held

on 09.07.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. Thereafter, the Committee orally examined the departmental representatives and petitioner/applicant in its meeting held on 27.07.2021. The Committee directed to the departmental representatives to submit compliance report, in which the matter has been resolved. The reply was received from the concerned department, which reads as under:—

To

The Secretary,
Haryana Vidhan Sabha Secretariat
Chandigarh.

Memo No. HBOCWWB/2021/1297 Dated:- 11/08/2021

Sub:— Regarding Financial Aid for Technical Course from Labour Department.

Kindly refer to your letter no. HVS/Petition/773/2021-22/18443 dated 13.07.2021 on the subject cited above.

In this regard, brief of the case is as under:—

That the applicant was registered as member beneficiary of the Board on 19.09.2017 with the Registration No. 603024477 and user ID RAM60150.

As per the eligibility conditions laid down in the Act/Rules, Sh. Ram Saran was eligible for the Welfare scheme only on 19.09.2018 after the completion of one year regular membership. Therefore he was not eligible for any benefit for the session 2017-18.

Sh. Ram Saran has applied for the 1st time online on 22.11.2019 under the Financial Assistance for Education (for Professional and Technical Courses) for the session 2019-2020 for his son Sh. Pawan Kumar, who was pursuing four year Degree course from University Institute of Engineering and Technology (UIET), Kurukshetra. The claim amount of Rs. 38000/- was submitted without submitting any proof regarding deposit of the fee.

In this case the Deputy Director, IS&H, Ambala on dated 28.03.2020 observed that the requisite documents under the scheme were not attached, therefore he down marked the case to Asstt. Welfare Officer, HBOCWW Board, Yamuna Nagar for compliance. On dated 01.05.2020, Asstt. Welfare Officer, HBOCWW Board, Yamuna Nagar pointed out that applicant has not submitted the receipt of fee and other educational expenses paid and directed the applicant to submit the same. The applicant failed to submit the receipt of the actual expenditure. Therefore this case was rejected by Asstt. Welfare officer, HBOCWW Board, Yamuna Nagar on 16.05.2020.

The applicant again submitted the same claim case for session 2019-20 on 29.06.2020, but this time he claimed an amount of Rs. 70,000/- as compared to Rs. 38000/- in the previous application for the same financial year i.e. 2019-20.

This claim case was also rejected on 17.11.2020 on the basis of non-compliance of the observations made by the office. In both the above mentioned online applications, the claimant has not provided any receipt of fee paid for the educational expenses in support of his claim.

He again submitted the application on dated 28.11.2020 for the financial assistance

of Rs. 16350/- under the same scheme for academic year 2020-21. This time he produced proof of deposit of fee amounting to Rs. 16350/- in favour of the Engg. Institute. The claim case was approved and the amount has been paid.

As assured in the Hon'ble Committee on Petition, HVS on 27.07.2021 at 11:15 AM, the Labour Department has provided the option for the applicant to resubmit claim for previous year (2018-2019, 2019-2020) (applied within last 2 years) for the Financial Assistance for Education alongwith requisite documents.

Further, it is submitted that now the beneficiary member of the Board has completed the required documents under this scheme for the year 2018-19 and 2019-2020.

In light of the above, the Deputy Director, IS&H, Ambala has approved both the claims and released an amount of Rs. 32,517/- (i.e. 16,167/- + 16,350) to the applicant in her Aadhar Linked Bank Account No. 913010057349251 AXIS Bank on dated 30.07.2021 through NPCI.

The above compliance report is submitted for kind consideration and with the request to file the matter.

-Sd-

Joint Secretary

For Additional Chief Secretary to Govt. Haryana
Labour Department.

Thereafter, the Committee satisfied with reply of the concerned department, in which the matter has been resolved, in its meeting held on 01.02.2022 and accordingly disposed of petition/representation.

16. PETITION/REPRESENTATION RECEIVED FROM SH. SHISHPAL S/O SH. SAMUNDER SINGH, MADLAUDA, DISTRICT PANIPAT, REGARDING NOT RELEASE THE TUBEWELL CONNECTION BY S.D.O. MADLAUDA, WHICH READS AS UNDER:—

सेवा में,

चेयरपर्सन,
याचिका समिति,
हरियाणा विधान सभा,
चंडीगढ़।

विषय:—एस.डी.ओ. बिजली बोर्ड मतलोडा द्वारा जानबूझकर ट्यूबवैल कनेक्शन न देने बारे।

श्री मान जी,

मैं शीशपाल पुत्र समुन्द्र, निवासी गांव वैसर, तहसील मतलोडा, जिला पानीपत का निवासी हूँ। हमने दिनांक 10.04.2019 को 30,000 रुपये नए ट्यूबवैल कनेक्शन की सिक्वोरिटी भरी थी। दिनांक 29.05.2021 को एस.डी.ओ. बिजली बोर्ड मतलोडा ने हमें पत्र लिखा कि इरिगेशन डिपार्टमेंट से एन.ओ.सी लेनी पड़ेगी। हमने इरिगेशन डिपार्टमेंट से एन.ओ.सी दिनांक 10.06.2021 को लाकर

संबंधित बिजली दफ्तर में जमा करवा दी। इसके बाद एस.डी.ओ. मतलोडा ने एक पत्र संख्या 2515 दिनांक 23.07.2021 को श्री स्टार मोटर खरीदने बारे लिखा। हमने श्री स्टार मोटर 44000 रुपये कि खरीदकर, रसीद बिजली बोर्ड के दफ्तर में जमा करवा दी। अब सारे काम होने के बाद एस.डी.ओ. मतलोडा कह रहे हैं कि वह कनेक्शन नहीं देगा। हमने इस मामले में लंबे समय से मेहनत करते हुए सारी कागजी कार्रवाई समय पर पूरी करवाई और बावजूद इसके हमें कंसर्ड एस.डी.ओ. द्वारा ट्यूबवैल कनेक्शन देने से मना किया जा रहा है। जोकि एक किसान के हितों पर किसी कुठाराघात से कम नहीं है।

उपरोक्त परिपेक्ष्य में मेरा माननीय याचिका समिति से हाथ जोड़कर अनुरोध है कि मुझे ट्यूबवैल कनेक्शन जल्द से जल्द दिलवाने कि कृपा की जाये और संबंधित एस.डी.ओ. द्वारा जो मुझे बेवजह परेशान किया जा रहा है, के खिलाफ दंडात्मक कार्रवाई की जाये।

प्रार्थी

हस्ता

शीशपाल पुत्र समुन्द्र, निवासी गांव वैसर,
तहसील मतलोडा, जिला पानीपत।

The petition/representation was placed before the Committee in its meeting held on 10.0.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

To

Secretary,
Haryana Vidhan Sabha,
Chandigarh.

Memo No.: Ch-125/SE (Mon.)-129/Vol.-XVII

Dated: - 11.09.2021

Subject: Meeting of the Committee on Petitions – Oral Examination of ACS to Govt. of Haryana, Power Department, Chandigarh on dated 14.09.2021.

This is w.r.t. your reference no. HVS/Petitions/2/2021-22/22709-19 dated 08.09.2021 regarding subject cited issue, vide which the schedule of meeting of Committee on Petitions was intimated wherein an oral examination of ACS, Govt. of Haryana, Power Department has been scheduled on the case of Sh. Shispal, S/o Sh. Samunder Singh Village Vaisar, Tehsil Madlauda, District Panipat regarding not release the tubewell connection by SDO, Madlauda.

In this connection, the reply of the department for the case is attached for kind information please.

These issues with the approval of Managing Director, UHBVN, Panchkula.

DA/as above

-Sd-

SE (Monitoring)
For Managing Director,
UHBVN, Panchkula.

From

The Managing Director,
UHBVN, Panchkula.

To

The Secretary,
Haryana Vidhan Sabha, Chandigarh

Memo No. Ch-13/TR-95(90)/T/W/6/CGM/C-I

Dated: 10.09.2021

Sub:— Regarding non release of tubewell connection by SDO 'OP' Sub Division, UHBVN, Madlauda.

May kindly refer to your office memo No. HVS/Petition/781/2021-22/21423 dated 19.08.2021 seeking comments/reply of the Nigam on the petition/representation filed by Sh. Shishpal S/o late Sh. Samundar Singh, village Vaisar, Tehsil Madlauda, Distt. Panipat complaining about SDO(OP), UHBVN, Madlauda for not releasing new tubewell connection that was applied by his late father Sh. Samundar Singh.

2. In this context, it is submitted that the representation has been got examined from the Superintending Engineer (OP), UHBVN Panipat. The matter is that the father of the petitioner had applied for a new tubewell connection of 12.5 BHP in Kila No.92/11/2 vide A&A No. P-24-718-103 dated 05.07.2018.

3. For all the new tubewell applications applied during the period 01.01.2014 to 31.12.2018, Nigam issued demand notices to approximate 84,000 eligible applicants by March, 2019 for deposition of consent money of Rs. 30,000/-. Accordingly, the petitioner deposited Rs. 30,000/- on 10.04.2019. However, he had not deposited cost of 5 star rated energy efficient motor-pumpset in the first phase of release of tubewell connections that commenced in November, 2019. Resultantly, he was not considered during the mentioned first phase that covered around 16,000 tubewell applications.

4. In the second phase of release of tubewell connections that has commenced in June, 2021, all the applicants who had deposited consent money of Rs. 30,000/- in 2019 in compliance to the demand notices have been covered for release of new tubewell connections. Accordingly, in this phase, estimate of electrical infrastructure that is required to be laid down for release of new connection to the petitioner was framed.

5. However, the petitioner has been misguiding the Nigam's employees by showing wrong site. He showed another Kila No. 333/4/2/3 instead of originally applied Kila No.92/11/2 for release of his tubewell connection. His estimate was framed according to the wrong site he showed to the Nigam's official.

6. On examination of the complete case, it has come out that another applicant namely Sh. Naresh S/o Sh. Randhir Singh who is the cousin brother of Sh. Shishpal S/o Late Sh. Samunder Singh had also applied for a new tubewell connection of 7.5BHP vide A&A no.56904 date 31.12.2016.

7. Apart from that, it is also relevant to mention that the site i.e., Kila No. 333/4/2/3 where the petitioner has been insisting for release of new tubewell connection already has a running tubewell connection of 12.5 BHP in his own name Sh. Shish Pal S/o Late Sh. Samunder Singh bearing account No. AP-25-1696.

8. This means in Kila No. 333/4/2/3, one tubewell connection is already running in the name of Sh. Shish Pal S/o Late Sh. Samunder, 2nd new tubewell connection has been applied by Sh. Naresh Kumar S/o Sh. Randhir Singh and 3rd is being insisted upon illegally by the petitioner. It is pertinent to mention that the land area that these 03 connections cover is mealy 1 Kanal and 7 marla that corresponds to approx. 27 marlas.

9. This is the reason his connection has not been released as on date and has been put on halt as the matter is under examination. Both the mentioned sites are owned by Late Sh. Samundar Singh and Sh. Shish Pal. And, the distance between mentioned sites is approximately 1.5KM.

10. Smt. Lichmi Devi W/o late Sh. Samunder Singh i.e., mother of the petitioner after the visit of halka Patwari, has admitted this fact and has submitted an application on 20.08.2021 stating that they had mistakenly deposited the *fard* of Kila no. 92/22/2 while applying for the connection in 2018, whereas they require connection in Kila No. 333/4/2/3 where a tubewell connection in the name of the petitioner is already running.

11. From the above submissions, it may please be noted that the petitioner has been concealing true facts of the case. Nigam is committed to release tubewell connection where it has been applied for. It is agreed that the case should have been reported by the filed officials while preparing the estimate that a connections is already running at site where the petitioner and Sh. Naresh Kumar S/o Sh. Randhir Singh are seeking individual new tubewell connections. Accordingly, Nigam shall take strict disciplinary actions against the delinquent officials.

12. In this regard, kind attention is drawn towards Clause 3.8 of Haryana Electricity Regulatory Commission (Duty to Supply), Regulations which states about One Connection in One Premises, relevant contents reproduced as under:—

(1) A consumer shall be treated as a distinct entity and shall be deemed to be an independent establishment, if

(a) it is a separate unit in duly partitioned premises owned or taken on lease/rent;

- (b) *there is a separate operative entrance and that the internal wiring of the premises is separate;*
 - (c) *it is registered as a separate entity/firm under the relevant law;*
 - (d) *it holds a separate Sales Tax/VAT number and is independently assessed to Income Tax;*
 - (e) *the occupant shall submit an affidavit confirming that the power will be used only for the premises for which the connection is sought and there will not be any cross supply.*
- (2) *In case a tenant requires a separate connection in the same premises, he shall furnish an undertaking from the landlord duly witnessed by two neighbours stating that the landlord shall clear all the liabilities in case the tenant leaves the premises without paying the distribution licensee's dues.*
- (3) *If a portion of residential/industrial premises is regularly used for any commercial activity permitted under law, the consumer shall be required to obtain a separate connection under non domestic supply category for the portion put to commercial use. In such an event, two connections, one under domestic supply schedule/industrial supply schedule and the other under non domestic supply schedule shall be permitted.*
- (4) *In a multi storied building, if the title of the property or the registry is floor wise or the owner produces a rent deed/lease agreement, then separate floor wise connections may be given.*
- (5) *In a shop-cum-flat, one domestic supply and one non domestic supply connection may be given.*
- (6) *Anyone of the following documents shall be considered as acceptable proof of ownership or lawful occupancy of premises:*
- (a) *In case of Agriculture supply connection;*
A copy of khasra / girdawari / jamabandi / Kisan Pass Book in the name of the applicant;
 - (b) *For all other connections;*
 - (i) *Copy of sale deed / allotment letter or lease deed or rent deed in the name of the applicant;*
 - (ii) *Registered General Power of Attorney from the owner in favour of the applicant alongwith (i) above;*
 - (iii) *Property tax receipt or tax demand notice as proof of ownership and rent deed or any other legal proof of being a tenant and paying rent as proof of occupancy.*

13. Serial No.1 (a) of above clause is clear that for an electricity connection, the premises should be *a separate unit in duly partitioned premises owned or taken on lease/rent and registered as a separate entity under the relevant law.*
14. In the present matter, the *killa* No. 333/4/2/3 is a single entity and therefore only one tubewell connections can be given under the provision of “One Connection in One Premises” mentioned above.
15. It is again submitted that Nigam is committed to release new tubewell connection to the petitioner where it has been applied for as per the seniority and fulfilment of other terms and conditions. Alternatively, the petitioner can apply for enhancement of load of his existing tubewell connection of 12.5BHP in *killa* No. 333/4/2/3.

This is for kind information and consideration please.

-Sd-

Chief Engineer/Comm.
For Managing Director,
UHBVN, Panchkula.

Thereafter, the Committee orally examined the departmental representatives and petitioner/applicant in its meeting held on 21.09.2021. The departmental representative assured that the connection will be released after receipt the affidavit from the petitioners. The committee received a letter from the concerned department, which reads as under

To

The Secretary,
Haryana Vidhana Saha, Chandigarh

Memo No. Ch-25/TR-95 (90)/T/W/HVS/CGM/C-I

Dated : 08.11.2021

Sub:— Proceedings of the meeting of the Committee on Petitions held on 21.09.2021 regarding non-release of tubewell connection by SDO ‘OP’ Madlauda.

May please refer to your communication dated 08.10.2021 on the subject.

In this context, it is intimated that the connection has been released by SDO ‘OP’ Matlauda on dated 28.10.2021 after receipt of affidavit from Smt. Lachmi Devi W/o Sh. Samundar Singh & Sh. Shish Pal S/o Sh. Samundar Singh.

This is for your information please.

-Sd-

Chief Engineer/Comm.
UHBVN, Panchkula

The Committee satisfied with the reply of concerned department, in which the matter has been resolved. The Committee also received a letter from the petitioner/applicant,

in which stated that his grievance was resolved and thanked the Committee. The letter received from petitioner/applicant, which reads as under:—

सेवा में,

चेयरमैन,
याचिका समिति,
हरियाणा विधानसभा (चण्डीगढ़)।

श्रीमान् जी,

निवेदन यह है कि मैं शीशपाल पुत्र समुन्द्र, निवासी गांव वैसर, तहसील मतलोडा, जिला पानीपत का निवासी हूँ। मैंने याचिका समिति में बिजली का कनेक्शन बारे याचिका दी थी। आप सभी की कोशिश से हमारा बिजली का कनेक्शन लग गया है। मैं पूरी याचिका समिति का बहुत बहुत धन्यवाद करता हूँ।

धन्यवाद सहित।

प्रार्थी

हस्ता०/—

शीशपाल निवासी गांव वैसर,
तहसील मतलोडा, जिला पानीपत।

The Committee considered the application of petitioner in its meeting held on 08.02.2022 and accordingly disposed of petition/representation.

17. PETITION/REPRESENTATION RECEIVED FROM SMT. RAJNI DEVI W/O LATE SH. RAJBIR, VILLAGE RACHHERI, TEHSIL NARAINGARH, DISTRICT AMBALA REGARDING TO GIVE THE BENEFIT OF DEATH ASSISTANCE SCHEME., WHICH READS AS UNDER:—

सेवा में,

चेयरमैन,
याचिका समिति,
हरियाणा विधानसभा (चण्डीगढ़)।

Sub:— मानवीय आधार पर सहायता स्कीम का लाभ दिलवाने बारे।

श्रीमान जी,

निवेदन यह है मैं रजनी देवी पत्नी स्व. श्री राजबीर गांव रछेडी जिला अंबाला की रहने वाली हूँ। मैं एक गरीब परिवार से संबध रखती हूँ। मेहनत मजदूरी करके काम चला रही हूँ मेरे पति की मृत्यु दिनांक 13.02.2020 को हो गयी है। मेरे पति लेबर विभाग में रजिस्टर्ड थे। उनका पंजीकरण नम्बर

601018325 तथा मेरी आई डी आरएजे 10304 है। मेरे पति भवन निर्माण में मजदूरी का कार्य करते थे। मैंने उनकी मृत्यु उपरांत विभाग के द्वारा दी जाने वाली राशि मृत्यु सहायता व दाह-संस्कार के लिए अप्लाई किया हुआ है, जो दिनांक 03.02.2021 को अप्लाई किया गया था। जिसमें लगने वाले सारे ऑब्जेक्शन मैंने समय पर ठीक कर दिए और क्लर्क ने मेरा फार्म पास होने के लिए बड़े अधिकारी को भी आनलाईन भेज दिया था। पर 07.06.2021 के बाद इस फार्म पर कोई कार्यवाही नहीं हुई है। जबकि सरकार ने लाभ देने का समय 90 दिन फिक्स किया हुआ है। मैं विभाग के चक्कर काटकर थक चुकी हूँ। मेरी कोई भी नहीं सुन रहा है। दफ्तर वाले कह रहे कि कोई नया सिस्टम लागू किया गया है, जिसमें फार्म दफ्तर से बाहर चैक होंगे और मेरे फार्म पर कार्यवाही नहीं हो रही है। इसलिए कृपा आपसे निवेदन है कि इस मामले की जाँच करे और मुझे इस स्कीम का लाभ दिलवाने की कृपा करे। मुझे इसकी बहुत आवश्यकता है।

प्रार्थीया

हस्ता/-

रजनी देवी पत्नी स्व. श्री राजबीर
गांव रछेड़ी, जिला अम्बाला

The Petition/Representation was placed before the Committee in its meeting held on 31.08.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

To

The Secretary,
Haryana Vidhan Sabha Secretariat,
Chandigarh

Memo No. HBOCWWB/2021/2061

Dated : 28/09/2021

Sub:— Regarding give the benefit of death assistance scheme (Smt. Rajni Devi w/o Lt. Sh. Rajbir)

Kindly refer to your letter No. HVS/Petition/783/2021-22/22362 dated 02.09-2021, on the subject cited above.

In this regard, it is submitted that the brief of the case is as under:—

- (i) That Late Sh. Rajbir was a registered member beneficiary of the Haryana Building & Other Construction Workers Welfare Board and his Registration No. is 601018325 dated 13.08.2018 and Online ID is RAJ10304.
- (ii) That Smt. Rajni Devi intimated that her husband, Late Sh. Rajbir S/o Sh. Pritam Singh died on 13.02.2020 and she submitted online application for Death and Funeral Assistance for Rs. 2.00 Lakh and Rs. 15000/- respectively on 03.02.2021. Both the applications are processed by the

officers/officials and finally the Deputy Director, Industrial Safety & Health, Ambala has approved the claim on 08.09.2021.

It is further submitted that after receiving acceptance/approval in both the claims from Dy. Director, IS&H, Ambala on 08.09.2021, the Board has immediately taken up this matter and released the benefit amounting to Rs. 2.00 lakh for Death Assistance and Rs. 15000/- for Funeral Assistance and directed the bank authority to transfer the benefit amount in Aadhaar seeded bank account of applicant, Smt. Rajni Devi w/o Late Sh. Rajbir, vide letter No. HBOCWWB/2021/Acctt./1742 dated 09.09.2021.

The above compliance report is submitted for kind consideration with the request to file the matter.

-Sd-

Joint Secretary

For Additional Chief Secretary to
Govt. Haryana, Labour Department

Thereafter, the Committee received a letter from the petitioner/applicant, in which her grievance was resolved and thanked the Committee. The letter received from petitioner/applicant, is reads as under:—

सेवा में,

चेयरमैन,
पिटीशन कमेटी,
हरियाणा विधानसभा (चण्डीगढ़)।

Subject:—Thank you Letter

श्रीमान जी,

निवेदन यह है कि मेरे द्वारा आपको एक लेटर लेबर विभाग से मृत्यु सहायता स्कीम का बेनीफिट दिलवाने के लिए लिखा गया था, और आपके द्वारा मिली सहायता से मुझे वह बेनीफिट लेबर विभाग से मिल चुका है। आपके द्वारा दिलवाये गए लाभ के लिए मैं सदैव आभारी रहूंगी और इसलिए मैं आपका धन्यवाद करना चाहती हूँ।

धन्यवाद

प्रार्थी

हस्ता०/—

रजनी देवी पत्नी स्व. श्री राजबीर
गांव रछेड़ी जिला अम्बाला।

The Committee considered the application of petitioner and satisfied with the reply of the concerned department, in its meeting held on 08.02.2022 and accordingly disposed of petition/representation.

18. PETITION/REPRESENTAION RECEIVED FROM SH.VEDPAL KADIAN S/O SH. BISHAN SINGH, VILLAGE SEWAH, BISHAN SAWROOP COLONY, PANIPAT REGARDING THE DEPLORABLE TREATMENT METED OUT TO SH. VED PAL KADIAN ADVOCATE, EX-PRESIDENT, DISTRICT BAR ASSOCIATION, PANIPAT AND SH. GAURAV S/O SH. VED PALKADIAN ADVOCATE, DISTRICT COURT, PANIPAT, WHICH READS AS UNDER:—

सेवा में,

चेयरमैन, पैटीशन कमेटी,
हरियाणा विधान सभा, चण्डीगढ़।

विषय:—ए.एस.पी. Ms. पूजा वशिष्ठ व अन्य पुलिस कर्मचारियों द्वारा किये गये अपराध बारे मुकद्दमा दर्ज करने व हमारे विरुद्ध बनाये गये झुठे मुकद्दमें को रद्द करने बारे।

श्रीमान जी,

1. मैं वेदपाल कादियान पुत्र श्री बिशन सिंह स्थाई निवासी गाँव सिवाह, हाल निवासी बिशन स्वरूप कालोनी, पानीपत अमन-चेन पंसद, कानून पालक लगभग 70 वर्षीय वरिष्ठ नागरिक हूँ, जोकि लगभग 40 वर्षों से पानीपत अदालत में वकालत कर रहा हूँ और मेरी गाँव सिवाह में पुस्तैनी जमीन-जायदाद है, जिसके सिलसिलें में हमारा गाँव में आना-जाना रहता है।

2. दिनांक 11.06.2021 को रात्रि को लगभग 12:00 बजे मैं व मेरा पुत्र गौरव, जो एल. एल.बी. अन्तिम वर्ष का छात्र है, अपने खेत के ट्यूबवैल में मोटर डलवाकर वापिस अपने घर पानीपत आने के लिए पसीना मोड़ पर ओवरब्रिज के नीचे पहुँचे, तो वहाँ काफी पुलिस वाले चौकंग कर रहे थे, जो लाठी-डण्डों व हथियारों से लैस थे व जिनके इशारे पर हमने अपने वाहन रोक लिये थे, वैसे भी मोड़ होने की वजह से हमारे वाहनों की स्पीड भी नाममात्र थी। हम खेत में ट्यूबवैल के काम में देरी होने से मैं अपनी एक्टिवा नम्बर एच.आर.-06-ए.ई.-2946 व मेरा लड़का एक्स.यू. वी. महिन्द्रा नम्बर एच.आर.-06-ए.ई. - 4918 से आ रहे थे पुलिस वालों के रोकने पर व मांगने पर हमने अपने-अपने वाहनों तथा उनके कागजात की जाँच करवाई, जो जाँच में सब कुछ ठीक-ठाक पाया गया, तो मौका पर मौजूद ए.एस.पी. पूजा वशिष्ठ आई.पी.एस. ने अपने पुलिस कर्मचारियों को कहा कि दिख नहीं रहा है कि यह लड़का बिना मास्क के है जिस पर मेरे लड़के ने कहा कि वह गाड़ी में अकेला था जो पुलिस वालों ने गाड़ी से उतरने से पहले पहनने का मौका ही नहीं दिया। जो ए0एस0पी0 ने कहा कि तुम्हारी आदत खराब है और स्टाफ को कहा कि इसके खिलाफ कार्यवाई करें जिस पर मेरे लड़के के मुँह से सभ्य तरीके से यह निकल गया कि मैडम आप भी मेरी तरह बिना मास्क हो, जो इतना सुनते ही ए0एस0पी0 महोदया भड़क गई और उसने सबसे पहले मेरे लड़के के मुँह पर थप्पड़ मारा और उनके इशारा करने पर उनके स्टाफ के कर्मचारियों ने थप्पड़-मुक्के व कोहनियों से मेरे बेटे की मारपीट शुरू कर दी, जो मैंने ए0एस0पी0 महोदया को कहा कि मैडम आप तो इतने सीनियर अधिकारी, और कानून को जानने वाले अधिकारी हो आप तो इनको रोको जिस पर उन्होंने कहा कि ये मेरे कहने पर ही तो मेरे से जुबान चलाने का सबक सिखा रहे हैं।

3. इसके बाद मैंने ए0एस0पी0 महोदय से प्रार्थना की कि मैडम ये मेरा बेटा है, बच्चा है और अगर गलती से इसके मुँह से मास्क बारे ऐसी बात निकल गई तो मैं इस बच्चे का पिता होने

के नाते इसकी तरफ से मैं आपसे हाथ जोड़कर माफी मांगता हूँ, जो मेरी इस विनम्र प्रार्थना के बाद भी महोदया ने उनको मारपीटाई से नहीं रोका और मेरी बेइज्जती भी करती रही और कहने लगी कि तुमने अपने बेटे को अच्छे संस्कार नहीं दिये हैं, जो इसको मैं ही तमीज सिखाऊंगी और उसके बाद उसने पुलिस वालों को कहा कि यहाँ भीड़ इकट्ठी हो गई, इसलिए इन दोनों बाप-बेटों को थाने में ले जाओ और वहाँ अच्छी तरह से रगड़ा दो, इसी बीच मैं ए0एस0पी0 महोदया ने हम दोनों के मोबाईल फोन यह कहकर के कि इनमें कुछ सबूत होगा मेरा व मेरे बेटे का मोबाईल भी छीनवा लिये थे, आज जब हमने थाने से मोबाईल लिये तो उनमें से इस घटना की सच्चाई कि रिकॉर्डिंग डिलीट कर रखी है और मोबाईल के साथ छेड़खानी कर रखी है।

4. उसके बाद पुलिस वालों ने हम बाप-बेटों को धसीटकर अपनी जिप्सी में गिरा लिया और थाना सैक्टर 29, में ले आये, जो थाने में भी हमारी मारपीटाई की गई और मेरे बार-बार कहने के बाद भी हमारी हिरासत बारे उन्होंने ना तो हमारे घर वालों या किसी और सूचना नहीं दी और ना ही हमें देने दी।

5. ए.एस.पी. महोदया के कहने पर एक झुठा मुकद्दमा एफ.आई.आर. नम्बर 229, दिनांक 12.06.2021 जेर धारा 186, 332, 34, 353, 506 आई.पी.सी. के तहत थाना इण्डिस्ट्रियल एरिया, सैक्टर 29 पानीपत में एफ.आई.आर. में वर्णित पुलिस अधिकारियों द्वारा दर्ज करवा दिया, जबकि इसमें वर्णित सम्पूर्ण घटना मन-गड़त झूठी व बेबूनियाद है, जिसमें जरा सी भी सच्चाई नहीं है। पुलिस ने हमें इस झूठे मुकद्दमें में गिरफ्तारी दिखाने से पहले भी लगातार नाजायज हिरासत में रखा। एस.एच.ओ. ने हमारे बार-बार कहने के बाद हमारी नाजायज हिरासत बारे हमारे घर वाले या किसी अन्य को कोई सूचना ना खुद दी और ना ही हमें लगभग सुबह: 04:00 बजे तक देने दी। इसके बाद सूचना प्राप्त होने पर मेरा भाई, मेरा दूसरा लड़का तथा भतीजे थाने में पहुँचे। बाद में हमारे कुछ वकील साथी दिनांक 12.06.2021 को दोपहर आपसे मिले और इस जाददी के बारे में आपको बताकर और उचित कार्यवाई करने की प्रार्थना की जिस पर डी0एस0पी0 सतीष वत्स ने थाने में बात की और दोपहर बाद हमें थाने से पुलिस जमानत पर रिहा किया गया। आरोपी पुलिस वालों के विरुद्ध अब तक कोई कार्यवाई नहीं हुई है व रविवार की छुट्टी होने के कारण आज ये लिखित शिकायत दी जा रही है।

6. ए.एस.पी. महोदया ने हमें झूठे मुकद्दमें में फंसवाकर, अपनी हाजिरी ना दिखाकर फर्जी रिकॉर्ड हमें नुकसान पहुँचाने के लिए तैयार करवाया है।

उपरोक्त तथ्यों व हालात से ए.एस.पी. महोदया व उनके साथी पुलिस अधिकारियों ने उपरोक्त अपराध करके कानून की घोर अवहेलना की है।

अतः जनाब से प्रार्थना है कि हमारे विरुद्ध दर्ज झुठा मुकद्दमा रद्द करके और पुलिस द्वारा किये गये जघन्य अपराधों के लिए मुकद्दमा दर्ज करने के आदेश दिये जाए, ताकि हमें इंसाफ मिल सकें। आपकी अति कृपा होगी।

प्रार्थी

हस्ता०/—

वेदपाल कादियान पुत्र श्री बिशन सिंह
स्थाई निवासी गाँव सिवाह,
हाल निवासी बिशनस्वरूप कालोनी,
पानीपत।

The petition/representation was placed before the Committee in its meeting held on 09.07.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

सेवा में

सचिव,
हरियाणा विधान सभा, सचिवालय।
सेक्टर-1, चडीगढ़।

क्रमांक 2709—पी डी दिनांक 9.8.2021.

विषय:—शिकायत वेदपाल कादियान एडवोकेट, जिला बार एसोसिएशन पानीपत।

यादि

कृप्या आपके कार्यालय के क्रमांक एच/वी/एस/पेटिशन/774/2021-22/18479 दिनांक 13.07.2021. के सन्दर्भ में।

परिवाद सम्बन्धित प्रगति रिपोर्ट बारे।

परिवादी वेदपाल कादियान एडवोकेट, जिला बार एसोसिएशन पानीपत

परिवाद का सार, आरोप परिवादी के खिलाफ दर्ज मुकदमा न.229/21 थाना सैक्टर 29 पानीपत को रद्द करने बारे।

उत्तरवादी का विवरण

जांच की स्थिति का विवरण विषयाधीन परिवाद की जांच श्री विरेन्द्र सिंह उप पुलिस अधीक्षक शहर जिला पानीपत से करवाई गई। जांच से पाया गया कि इस सम्बन्ध में परिवादी के खिलाफ मु.न. 229 दिनांक 12.06.2021 धारा 332,353,186, 506,180,34 भा.द.स. थाना सैक्टर 29 पानीपत दर्ज रजिस्टर है। जांच से पाया गया कि दिनांक 11/12 की रात्री गप्त पर इ.एस.आइ जोगेन्द्र 157 मय एच.सी विरेन्द्र 1499 मय एच.सी राजेश 07 मय गाडी सरकारी नं. एच.आर. 06 ए.एक्स. 9459 जिसका चालक एसपीओ अनिल 01 के सिवाह पसीना मोड़ पर पहुचा था जहां पर इएसआइ जोगिन्द्र सिंह 157 मय सहयोगी टीम के हाजिर मिला जिसने एसआइ सतपाल 902 को अपनी एक लिखित दरखास्त पेश की जिसका मजबूत जैल हैसेवा में एस.एच.ओ. साहब थाना सेक्टर 29 पानीपत श्रीमान जी निवेदन है कि मै इसआइ जोगिन्द्र सिंह 157,एचसी नरेन्द्र 36, एचजीएच दिलेर 2052, इएचसी सुरजीत 218 मय पीसीआर नं. 03 गाडी न. एचआर 06 एस 0229 जिसका चालक इएचसी यशपाल 766 के नाईट डोमिनेशन ड्यूटी सिवाह

ओवरब्रीज के नीचे पसीना मोड़ पर मौजूद थे कि समय करीब 12.20 एएम पानीपत कि तरफ से एक गाड़ी आती दिखाई दी जिसके पीछे एक स्कूटी जाते दिखाई दिये जिनको इएसआइ जोगेन्द्र ने रुकने का इशारा किया तो गाड़ी चालक ने अपनी गाड़ी का पुलिस पार्टी से 10 कदम कि दूरी पर जाकर रोका गाड़ी का नम्बर चैक किया तो गाड़ी का नम्बर एचआर 06 ऐड 4918 मार्का एक्सयूवी महेन्द्रा व स्कूटी का न. एचआर 06 ऐटी 2946 पाया जो इएसआइ जोगेन्द्र सिंह ने गाड़ी के चालक का नाम पता पूछा तो जिसने नाम पता बताने से इन्कार किया और गालियां देने लगा और स्कूटी चालक ने भी नाम पता बताने से इन्कार कर दिया और दोनों मेरे साथ मारपीट करने लगे और मेरी वर्दी फाड़ दी और स्कूटी चालक व्यक्ति ने कहा कि मैं बार एसोसिएशन पानीपत का प्रधान रहा हूं और हम तुम्हें कुछ नहीं समझते और ना ही हम पुलिस का कागज दिखाते और दोनों व्यक्तियों ने मेरे को जान से मारने कि धमकी दी मेरे को बाद में पता चला कि गाड़ी चालक का नाम गौरव पुत्र वेदपाल व स्कूटी चालक का नाम वेदपाल पुत्र भीष्म वासीयान सिवाह पानीपत हाल बिशन स्वरूप कालोनी पानीपत पता चला जो उपरोक्त गौरव व वेदपाल ने ड्यूटी में बाधा पहुँचाकर मेरी वर्दी फाड़कर मारपीट करके व जान से मारने की धमकी दी है उपरोक्त दोषीगणों के खिलाफ कानूनी कार्यवाही कि जावें। जिस पर मु.न. 229 दिनांक 12.06.2021 धारा 332,353,186,506,34 भा.द.स. थाना सैक्टर 29 पानीपत जाकर मुकदमे की तफतीश एसआइ सतपाल 902 द्वारा अमल में लाई गई दौरान तफतीश मुकदमा में मौका मुलाहजा किया गया। गवाहान के ब्यान अकिंत किये गये। मुकदमा में इएसआइ जोगेन्द्र द्वारा वर्दी कमीज को बजरिया फर्द कब्जा पुलिस में लिया। दिनांक 12.06.2021 को गौरव पुत्र वेदपाल, वेदपाल पुत्र बिषन सिंह वासीयान सिवाह जिला पानीपत को मुकदमा में विधि अनुसार गिरफ्तार किया। आरोपीयन का फर्द इंकसाफ अकिंत किया गया। मुकदमा में कार नम्बर एचआर 06 ऐड 4918 मार्का एक्स यू वी महेन्द्रा मय आरसी का बतौर वजह सबूत बजरिया फर्द कब्जा पुलिस में लिया गया। मुकदमा में स्कूटी नं. एचआर 06 ऐ टी 2946 मय आरसी को कब्जा पुलिस में लिया। निषानदेही घटनास्थल कराई गई। मुकदमा में धारा 180 आइपीसी लगाई गई। आरोपीयन को पुलिस बेल पर छोड़ा गया। मुकदमा के सम्बन्ध में वेदपाल कादियान पुत्र किषन सिंह वासी गांव सिवाह, हाल बिशन सरूप कालोनी जिला पानीपत व शेर सिंह वकील बार एसोसिएशन पानीपत द्वारा काफी दरखास्तें दी गई थी।

दौरानें जांच परिवादी वेदपाल ने श्री सतीश कुमार उप पुलिस अधीक्षक, मुख्यालय पानीपत को अपना कथन अंकित कराया कि दिनांक 11.06.2021 को चैंकिंग के दौरान सेक्टर 29 में मेरे तथा मेरे लड़के गौरव

के खिलाफ पुलिस ने मुकदमा नम्बर 229 दिनांक 12.06.2021 धारा 332, 353, 186, 506, 34 भा.द.स. थाना सैक्टर 29 दर्ज कर दिया था जिसके सम्बन्ध में मैंने काफी दरखास्तें दी, जो मुकदमा के सम्बन्ध में हमारा आपस में कोई कार्यवाही नहीं कराना चाहता, मेरी दरखास्तों को दफतर दाखिल किया जावे।

अनुसंधानकर्ता एसआइ सतपाल की तफतीश से प्रबंधक थाना सैक्टर 29 पानीपत व श्री विरेन्द्र सिंह उप पुलिस अधीक्षक शहर पानीपत की तसदीक से पाया गया कि दिनांक 12.06.2021 को पुलिस टीम द्वारा सिवाह पुल के नीचे नाइट डोमिनेशन का नाका लगाया हुआ था। नाकाबंदी के दौरान गौरव व उसके पिता वेदपाल की पुलिस के साथ कहासुनी व हाथापाई होने के कारण उपरोक्त मुकदमा दर्ज रजिस्टर हुआ था। इस मुकदमा के सम्बन्ध में वेदपाल ने उच्च अधिकारियों को दरखास्ते दी हुई थी। जिनकी श्री सतीष कुमार उप पुलिस अधीक्षक मुख्यालय द्वारा अमल लाई गई। इस दौरान बार एसोशियेशन के प्रधान शेर सिंह खरब के साथ अन्य वकीलों की मौजूदगी में दोनों पक्षों को आमने सामने करके पूछताछ की गई तथा दोनों पक्षों की गलतफहमी दूर होने पर दरखास्तों पर कोई कानूनी कार्यवाही ना कराने बारे वेदपाल कादियान ने अपने बयान श्री सतीष कुमार उप पुलिस अधीक्षक मुख्यालय पानीपत के सम्मुख दिए तथा दोनों पक्षों का आपसी राजीनामा होने की बात सामने आई है तथा मुदई मुकदमा द्वारा भी अपने मुकदमा में आगे कोई कार्यवाही ना कराने का आग्रह किया है। इस बारे वेदपाल व गौरव द्वारा अपने शपथ-पत्र भी दिये गये हैं। उपरोक्त तथ्यों को देखते हुये दोनों पक्षों का आपसी मतभेद दूर होकर राजीनामा होना पाया गया है। इसलिए मुकदमा में दिनांक 29-07-2021 को क्लोजर रिपोर्ट अंकित की जा चुकी है।

हस्ता०/-

(शशांक कुमार सावन)

पुलिस अधीक्षक, पानीपत।

Thereafter, the Committee satisfied with the reply of concerned department, in which the matter has been resolved in its meeting held on 22.02.2022 and accordingly disposed of petition/representation.

19. PETITION/REPRESENTATION RECEIVED FROM SMT. KRISHANA DEVI W/O SH. MANGE RAM, VILLAGE HASANYARPUR TIHARA KALAN, DISTRICT SONEPAT & OTHERS REGARDING GRIEVANCES OF PETITIONER, WHICH READS AS UNDER:—

सेवा में,

चेयरमैन पैटीशन कमेटी,
हरियाणा विधान सभा, चण्डीगढ़।

श्रीमान जी,

निवेदन है कि हम हसायारपुर तिहाड़ कलां के लगभग 50 व्यक्ति बुढ़ापा पेंशन लेते हैं। जिनकी पेंशन 3 महीने मार्च, अप्रैल व मई कि पेंशन नहीं मिली है। और हमारा आय का कोई अन्य साधन नहीं है पेंशन से ही हमारा गुजारा चलता है। हम पूर्ण रूप से बुढ़ापा पेंशन पर ही निर्भर हैं हमारी मार्च, अप्रैल व मई कि पेंशन डाली जाये। और बूजर्ग व्यक्तियों को पेंशन लेने गांव से बाहर जाना पड़ता है जिस कारण उनको परेशानियों का सामना करना पड़ता है। बुढ़ापा पेंशन बाटने की व्यवस्था गांव में ही कि जाए। ताकि बुजर्ग व्यक्तियों को आने जाने कि असुविधा न हों।

प्रार्थी

हस्ता०/—

कृष्णा देवी पत्नी श्री मांगे राम।
हसायारपुर तिहाड़ कलां, जिला सोनीपत व अन्य।

The Petition/Representation was placed before the Committee in its meeting held on 29.06.2021 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

To

The Secretary,
Haryana Vidhan Sabha Secretariat,
Sector-1, Chandigarh.

Memo No. 10446/SJE/Supdt.(P)2021 dated 27.07.2021.

Subject: Regarding grievances of petitioner Smt. Krishana Devi W/o Sh. Mange Ram Village Hasanyanpur Tihara Kalan, District Sonipat & others.

Kindly refer to your office letter No HVS/Petitions/770/2021-22/14117 dated 30.06.2021 on the subject cited above.

In this connection, it is submitted that according to the letter dated 10.06.2020 issued by Chief Postmaster General. Haryana Circle, Ambala, there should be a minimum balance of Rs. 500/- in the accounts of Social Pensioner standing in the post offices. In the

Village Hasnayanpur Tihara Kalan, Distirct Sonipat, 278 beneficiaries are getting Social Security Pensions. Out of which pension in respect of only 18 beneficiaries w.e.f. 03/2021 including Smt. Krishana Devi W/o Sh. Mange Ram, could not been credited in their account due to failure/account closed by Post office. Now the status of 16 beneficiaries has been made normal in the month of 07/2021 and after validation of accounts of above 16 beneficiaries from PFMS, the pension will be credited into their account in the month of 08/2021. Further arrear of the intervening period will also be released after validation of their accounts.

-Sd-

Accounts Officer(P)

for Director General, Social Justice &
Empowerment Department.
Haryana, Chandigarh.

Thereafter, the Committee satisfied with the reply of the concerned department, in which the matter has been resolved in its meeting held on 22.02.2022 and accordingly disposed of petition/representation.

20. PETITION/REPRESENTAION RECEIVED FROM SH. DEVENDER S/o SH. OM PARKASH, H.NO. 760/10, ROOP NAGAR, GALI NO.- 7, ROHTAK. REGARDING IRREGULARITIES CARPETING OF MASTIC LAYER ON ROAD IN ROHTAK, WHICH READS AS UNDER:—

सेवा में,

चेयरमैन पैटीशन कमेटी,
हरियाणा विधान सभा, चण्डीगढ़।

आदरणीय महोदय,

मैं आपका ध्यान रोहतक में करोड़ों रुपए की लागत से बिछाई गई मिस्टिक लेयर की सड़कों की तरफ से दिलाना चाहता हूं। यह सड़कें शहर के तकरीबन इलाके में बनाई गई जिनमें ना केवल सेक्टर एरिया बल्कि कच्ची कालोनी भी शामिल है। जब यह सड़क बनाई जा रही थी तब बड़े बड़े दावे किये थे कि इन सड़कों की लाइफ 20 से 25 साल है और इनके निर्माण से आमजन को काफी सुविधा होगी तथा साथ ही सरकार का बार बार सड़क निर्माण में खर्च होने वाला पैसा भी बचेगा। हांलाकि, इन सड़कों के निर्माण में भारी अनियमितताएं बरते जाने कि बार बार शिकायतें आती रही और महम के निर्दलीय विधायक श्री बलराज कुंडू जी ने भी इस मामले को पुरजोर तरीके से उठाया था और इन सड़कों की गुणवत्ता पर गंभीर सवाल उठाते हुए भ्रष्टाचार होने की शिकायत भी की गई थी। बावजूद इसके इन सड़कों का निर्माण किया गया और बेहद निम्न स्तर का मटेरियल इस्तेमाल करते हुए इनकी थिननेस का भी ख्याल नहीं रखा गया जिसका परिणाम यह हुआ कि रोहतक में बनाई गई इन सड़कों का अब मात्र 6 महीने से 1 साल में ही बुरा हाल होना शुरू हो गया। मीडिया में भी

इनकी बदहाली की तस्वीरें प्रकाशित होती रहती हैं। और आपसे अनुरोध है कि इस भ्रष्टाचार की जांच करवाकर दोषी पाए जाने वालों के खिलाफ कड़ी कारवाई की जाए।

धन्यवाद।

हस्ता

देवेंद्र पुत्र श्री ओम प्रकाश

निवासी मकान नम्बर 760/10 रूप नगर,
गली नम्बर 7, रोहतक।

The petition/representation was placed before the Committee in its meeting held on 07.07.2020 and the Committee considered the same and decided that said petition/representation be sent to the concerned department for sending their comments /reply within a period of 10 days. The reply was received from the concerned department, which reads as under:—

To

The Secretary,
Haryana Vidhan Sabha Secretariat,
Chandigarh.

Memo No. EE-III/DULB/2020/3908 dated 13.10.2020.

Sub :— Regarding irregularities Carpeting of Mastic Layer on road in Rohtak.

In reference to your office memo no. HVS/Petition/14/690/2020-21/11003 dated 09.08.2020 and HVS/Petition/14/690/2020-21/12834 dated 15.09.2020 on subject cited above.

2. A copy of the petition/representation received from Sh. Devender S/o Sh. Om Prakash, House No. 760/10, Roop Nagar, Gali No. 10, Rohtak regarding subject cited matter as forwarded to this office vide letter under reference with the request to submit comments/reply before the committee on petitions.

3. I have been directed by the competent authority to forward you a copy of report/reply submitted by Commissioner MC, Rohtak in the subject cited matter along with a copy of enquiry report submitted by SIT constituted to enquire into the complaint made by Sh. Balraj Kundu, MLA, Meham regarding use of Bitumen Mastic Layer in construction of roads in MC, Rohtak.

DA:- Enquiry report submitted by SIT.

-Sd-

Executive Engineer -III,
for Director General, Urban Local Bodies,
Haryana, Panchkula.

Allegation No. 1

Use of Mastic Asphalt on general roads in Rohtak as well as other Towns of Haryana

- 1.1 Shri Balraj Kundu, M.L.A. has attached a copy of complaint dated 10.01.2020 alongwith the petition dated 28.01.2020. The contents of the complaint are as under:—

“It has been observed that Mastic Asphalt is being used on general roads in Rohtak Town resulting into the wasteful expenditure causing heavy loss to the state exchequer. Laying of Mastic Asphalt is very costly as compared to conventional Bituminous wearing courses. Mastic is generally used on bridge decks and heavily stressed areas i.e., junctions and toll plaza where frequent acceleration and stopping of vehicles is observed (comments of PWD B&R is attached). Mastic asphalt is not laid on general roads as per MORTH specifications.

*Further NGT vide his OA no. 21 of 2014 in the matter of VardhmanKaushik v/s Union of Indiadirected that there shall be no hot mixing on road side. All public authorities particularly the PWD, DDA and others should themselves, during construction and maintenance of roads, ensure that coal tar, bitumen and/or Asphalt mix is brought in Molten condition and the same is neither burnt nor fire is put to melt these substances on the open roads. **As per NGT orders, laying of mastic asphalt is totally prohibited in NCR due to heavy pollution involved in the process of mastic asphalt.***

The prevailing rates as per PWD B&R for laying of B.C. of 30mm and 40mm thick layers are Rs. 225/-&Rs. 300/- respectively. Instead of laying of BC on general roads in towns which is required as per MORTH specifications, in Municipal Corporation Rohtak, Municipal Corporation Sonipat and Municipal Committee Jhajjar 25 mm thick mastic asphalt is being laid and that too on very high rates of approx. Rs.900/- to Rs.1100 per sqm., 3 times length of roads could have been repaired within the expenditure incurred if even 40mm BC was laid.

The information in this respect was sought from Commissioner MC, Rohtak on dated 05.12.2019 but the same is still awaited. It has come to my notice that such works have been executed in Municipal Corporation, Rohtak to the tune of Rs. 90—100/-crores at very high rates as mentioned above. Thereafter, the work was assigned to another agency back to back at the rate of Rs. 455/- per sqm. All of it was got done by Shri Manish Grover, Ex. ULB State Minister by putting pressure on local officers just to favour a particular agency by putting undue conditions in the tender to fulfill his vested interest. The above facts reflect that at least Rs. 40/- -50/-crores loss has been caused to Municipal Corporation, Rohtak.

Shri Manish Grover who is an illiterate person generally seen praising himself in the public meetings saying that I'm getting constructed such roads in Rohtak which shall not last even 20 years. He has violated NGT orders and misused his

powers and through undue pressure on local officers, managed such type of illegal works only for his vested interest. Undue expenditure has been incurred on the construction of roads by adopting mastic asphalt instead of using conventional bituminous courses and that too on very high rates i.e. 120% higher than the prevailing rates of PWD B&R. It is also mentioned that Mr. Varshney, STP is working in Municipal Corporation, Rohtak since last about 10 years. He is very closely associated with Shri Manish Grover and fully involved in all such illegal activities. Shri Manish Grover, the then ULB State Minister managed all such illegal technical and Administrative approvals from Chandigarh in conspiracy with the then ACS Shri Anand Mohan Saran and CE Shri O.P. Goyal. It is very surprising that MCR has laid mastic asphalt on the sector major roads belonging to HUDA inspite of the objections raised by HUDA.

Further it is mentioned that with the direction of the Minister of ULB, specified eligibility criteria was added just to favour a particular agency and to make the participation of agencies to the limited extent.

The conditions are regulated in terms of similar works executed by the agency on the basis of major component in the scope of proposed works in the DNIT whereas the conditions are applied on the basis of minor component to favour a particular agency with whom Shri Manish Grover Ex. ULB State Minister has back door partnership in all these works”.

- 1.2** The detailed reply on the complaint alongwith record was submitted by the Commissioner-Municipal Corporation-Rohtak vide his office letter No. MCR/XEN (HQ)/2020/905 dated 05.02.2020 (**Annexure 1/1** Page No. 1-43) wherein it was reported as follows:—

“The works of laying of mastic asphalt by the Engineering Branch were carried out after obtaining due approvals and after hearing the public grievances and public was also informed from time to time. The work of laying mastic asphalt was carried out by the Municipal Corporation keeping in view the following situations and reasons:-.

- a. In old areas of the Municipal Corporation Rohtak, maximum roads have been constructed with cement concrete and these roads were constructed more than 10 years back. Due to repair of sewer, water and other reasons, these roads were full potholes due to which the public was facing a lot of inconvenience.*
- b. In case, another layer of cement concrete was laid on the existing cement concrete roads, then it would have resulted raised levels of roads and manholes leading to accumulation of street water in houses during rains.*
- c. In case new cement concrete was constructed after dismantling the existing cement concrete roads then this would have temporary disconnection of water and sewer necessitated connections leading to inconvenience to the public.*

- d. *In case the existing cement concrete road was repaired by using premix bituminous carpet, it would not have lasted even for a few years as in most of these roads water accumulated during rainy season and also shopkeepers often litter the waste water from their shops flow on the road. Therefore, mastic asphalts was laid on the previous cement concrete roads in the areas of Mata Darwaja, Bada Bazar, Quila Road, Old SubjiMandi, Model Town, Sant Nagar, Prem Nagar Chowk, Arya Nagar, AshokaChowk, GohanaAdda etc. under the CM Announcements. Mastic Asphalts is generally considered to be more resistant to water than premix bituminous carpet and, therefore, was considered most suitable for laying it on wearing course of the road in these areas.*

Similarly in case of sector roads which had already been constructed with premix bituminous the carpet, these were in damage condition and mastic asphalt was laid on these roads on demand of the local —citizens due to the reasons enumerated below:-

- i. *In sectors water gets accumulated due to choked storm water sewer lines.*
- ii. *There is a nala of main disposal in front of Sector 1 and 14 and water of sectors does not drain out until the water of the city is not drained and there remains the possibility of the damage to the roads.*
- iii. *There is a canal adjoining sector 1 & 2 due to which the same remains water logged and on account of moisture in the roads, premix carpet gets damaged.*
- iv. *There is a water channel for water works 1 near sector 3 and during rainy season water gets accumulated on the roads and due to overflow of water road gets damaged.*
- v. *The structure of the roads of sectors could not be changed that is why roads were constructed with mastic asphalts.*

While carrying out the work of mastic asphalts, pollution level in the atmosphere were taken care of and when NGT issued instructions in the year 2019 to control the pollution, Municipal Corporation, Rohtak stopped the work of laying mastic asphalts.

The work of mastic roads was not allotted to a single agency but the same were allotted to various agencies whose details are as under:—

CM Announcement Code 17498 dated 13-11-2016

Sr. No.	Name of Work	Est. Cost (Rs. in Lakh)	Est. prepared by JE/MES/Shri	Technically Sanctioned by EE/SE/CE	Admn. Approval by S/Shri	Tender Allotted to the agency
1	Providing and Laying of Mastic Layer from Mata DarwajaChowk to BalaknathJohad, Ward No. 3, Rohtak.	79.31	1: Rajkumar, JE 2: JagdishChander, ME 3: ManjeetDahiya, EE	CE, ULB vide letter No.SDE-III/ DULB/ 2018/3042 dt.14-05-2018	the then C.M.C. Rohtak	Kuldeep Malik
2	Providing and Laying of Mastic Layer from Mata DarwajaChowk to SabjiMandi Old Bus Stand, Ward No. 3, Rohtak.	91.54	1: Rajkumar, JE 2: JagdishChander, ME 3: ManjeetDahiya, EE	CE, ULB vide letter No.SDE-III/ DULB/ 2018/3042 dt.14-05-2018	the then C.M.C. Rohtak	Kuldeep Malik
3	Providing and Laying of Mastic Layer from Balaji Body Maker to JindChowk, Ward No. 3, Rohtak.	97.86	1: Rajkumar, JE 2: JagdishChander, ME 3: ManjeetDahiya, EE	CE, ULB vide letter No.SDE-III/ DULB/ 2018/3042 dt.14-05-2018	the then C.M.C. Rohtak	Kuldeep Malik
4	Providing and Fixing 80mm Thick I.P.B. under R.O.B. Jind Road Near Railway Line, VishkarmaEngg. Works to H/o Ashok Nehru Colony etc. and P/L Mastic Layer from H/o SubhashWaliGali Indira Colony etc. and Const. of Boundary Wall Vyayamshala in Gaukaran Park, Ward No. 1, Rohtak.	53.65	1: Rajkumar, JE 2: JagdishChander, ME 3: ManjeetDahiya, EE 4: Naveen Dhankhar, EE	CE, ULB vide letter No. SDE-III/ DULB/ 2018/3042 dt.14-05-2018	the then C.M.C. Rohtak	The Shiv Shakti Co-op
5	Providing and Laying of Mastic Layer from JatDharamshala to Gaur School via Gaukaran Park, Mata DarwajaChowk to Dayanand Math Wala Road and Providing and Laying of Interlocking Paver Block and Civil Works from Mata DarwajaChowk to Gaukaran Park, Ward No. 3, Rohtak.	91.50	1: Rajkumar, JE 2: JagdishChander, ME 3: ManjeetDahiya, EE	CE, ULB vide letter No.SDE-III/ DULB/ 2018/3042 dt. 14-05-2018	the then C.M.C. Rohtak	M/s Jai Balaji Enterprises

CM Announcement Code 24170 dated 27-10-2018

Sr. No.	Name of Work	Est. Cost (Rs. in Lakh)	Est. prepared by JE/MES/Shri	Technically Sanctioned by EE/SE/CE	Admn. Approval by S/Shri	Tender Allotted to the agency
1	2	3	4	5	6	7
1	Providing and Laying of Mastic Layer from Akashwani Chowk to New Bus Stand Road via Prem Nagar Chowk, Ward No. 7, Rohtak.	90.26	1: ShantSuhag, JE 2: AmanRathee, ME 3: Naveen Dhankhar, EE	Chief Engineer	the then C.M.C. Rohtak	M/s Jai Balaji Enterprises
2	Providing and Laying of Mastic Layer from Prem Nagar Chowk to DivyaYogMandir, Ward No. 7, Rohtak.	71.31	1: ShantSuhag, JE 2: AmanRathee, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Karnal	the then C.M.C. Rohtak	M/s Jai Balaji Enterprises
3	Const. of Mastic Road from Shop of Ishwar Property to H. No. 1415 KusumKunj, H.No. 1214 to H. No. 1221 in Sector-1, Ward No. 11, Rohtak.	98.21	1: ShantSuhag, JE 2: AmanRathee, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Karnal	the then C.M.C. Rohtak	Sandeep Kumar
4	Const. of Mastic Road from From H/o Dr. K.K Verma H.No. 137 to H.No. 994, H.No. 994 to Shopping Center towards main Delhi Road in Sector-1, Ward No. 11, Rohtak.	65.10 rev. 99.88	1: Vikram Gill, JE 2: AmanRathee, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Karnal and rev. sanctioned by Chief Engineer, M.C. Gurugram	the then C.M.C. Rohtak	M/s Jai Balaji Enterprises
5	Const. of Mastic Road From H. No. 247 P Gupta House to Market and H.No. 1457 to H.No. 1586 in Sector-2 in Ward No. 11, Rohtak.	99.79	1: ShantSuhag, JE 2: AmanRathee, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Karnal	the then C.M.C. Rohtak	Sudesh Kumar
6	Const. of Mastic Road From Market and H.No. 1457 to H.No. 1114 towards Sonipat Road in Sector-2 in Ward No. 11, Rohtak.	99.88	1: ShantSuhag, JE 2: AmanRathee, ME 3: Naveen Dhankhar, EE	Chief Engineer	the then C.M.C. Rohtak	Divine Const. Co.
7	Const. of Mastic Road From Sonipat Stand to via Balaji Sweets to D.N. School to New Bus Stand in Ward No. 13, Rohtak.	53.89	1: ShantSuhag, JE 2: AmanRathee, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Karnal	the then C.M.C. Rohtak	M/s Jai Balaji Enterprises

1	2	3	4	5	6	7
8	Providing and Laying of Mastic Layer in Road of Huda Complex, Ward No. 15, Rohtak.	99.00 rev. 250.00	1: Vikram Gill, JE 2: AmanRathe, ME	Chief Engineer	the then C.M.C. Rohtak and revised approval by house of MC Rohtak	Vijender Kumar
9	Providing and Laying of Mastic Layer in Partap Bazar Road, KewajGanj Road and Krishna Bazar Road, Ward No. 17, Rohtak.	97.40	1: KrishanDahiya, JE 2: AmanRathe, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Gurugram	the then C.M.C. Rohtak	Raj Kapoor Singh
10	Const. of Mastic Streets from H/o Amrit Lal Girdhar to H/o SardarGajender Singh, H/o Hariom Kumar to H/o Yashpal, H/o ChuniLal to H/o Dr.Omparkash, Ashok Pani Wala, H/o Prem Singh Gaba to H/o Maddu, Kanta Sharma, H/o Manoj to Gulshan Dairy, H/o KrishanLal to H/o Inder Kumar Soni near Shiv Park and H/o Sarvan Kumar Gupta to H/o BadrinathMalhotra and various approaches streets in Ward No. 19, Rohtak.	77.13	1: KrishanDahiya, JE 2: AmanRathe, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Karnal	the then C.M.C. Rohtak	Kuldeep Malik
11	Providing and Laying of Mastic Layer from Charkhamba to Navjeevan Hospital, Ward No. 13, Rohtak.	82.74	1: ShantSuhag, JE 2: AmanRathe, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Karnal	the then C.M.C. Rohtak	Vijender Kumar
12	Providing and Laying of Mastic Layer from Bhagat Singh Parking to Jind Road and Standard Sweets to Mata DarwajaChowk via M.S. Saraswati School, Ward No. 17, Rohtak.	98.60	1: KrishanDahiya, JE 2: AmanRathe, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Karnal	the then C.M.C. Rohtak	Dinesh Kumar
13	Providing and Laying of Mastic Layer from Mandi to Shiv Mandir, Main street Khanna Coaching Center, RomiChawla and Tikona Park Street, Street in front of Ramtila Park, Street along park side, Street along Ramtila Park and Street near Tikona Park, Shivaji Colony, Ward No. 19, Rohtak.	60.53	1: KrishanDahiya, JE 2: AmanRathe, ME 3: Naveen Dhankhar, EE	Chief Engineer, M.C. Gurugram	the then C.M.C. Rohtak	S.R. Const.

CM Announcement Code 24986 dated 19-02-2019

Sr. No.	Name of Work	Est. Cost (Rs. in Lakh)	Est. prepared by JE/MES/Shri	Technically Sanctioned by EE/SE/CE	Admn. Approval by S/Shri	Tender Allotted to the agency
1	Providing and Laying of Mastic Layer from Ashokachowk to old ITI fly over in Ward No. 11, Rohtak.	73.86 Rev. 85.34	1: KrishanDahiya, JE 2: Naveen Dhankhar, ME 3: YograjChhikara, EE	CE, ULB vide letter no.SDE-III/ DULB/ 2018/11941 dt.18-10-2018	the then C.M.C. Rohtak	Vijender Kumar

Other than CM Announcement

Sr. No.	Name of Work	Est. Cost (Rs. in Lakh)	Est. prepared by JE/MES/Shri	Technically Sanctioned by EE/SE/CE	Admn. Approval by S/Shri	Tender Allotted to the agency
1	Providing and Laying of Mastic Layer in Main Quilla Road, Ward No.14, Rohtak.	24.98 rev 35.88	1: Vikas, JE 2: Naveen Dhankhar, ME 3: Ram Prakash, EE	Executive Engineer, M.C. Rohtak and Rev. sanctioned by Superintending Engineer, M.C. Faridabad	the then C.M.C. Rohtak	The Om Shanti Om Co-op L&C Society
2	Providing and Laying Mastic Layer alongwith D.A.V. School WaliGali and Branches Gali, Peer Baba WaliGali in Kamla Nagar, Ward No. 18, Rohtak.	32.57	1: Vikas, JE 2: Naveen Dhankhar, ME 3: Ram Prakash, EE	Chief Engineer, M.C. Kamal	the then C.M.C. Rohtak	The Om Shanti Om Co-op L&C Society
4	Providing and Laying of Mastic Layer from Arya Nagar Chowk to Jhajjar Road, Ward No. 12, Rohtak.	84.07	1: ShantSuhag, JE 2: Ajay Panghal, ME 3: ManjeetDahiya, EE	Chief Engineer, M.C. Gurugram	the then C.M.C. Rohtak	Rajesh Kumar Gupta

Civic Amenities

Sr. No.	Name of Work	Est. Cost (Rs. in Lakh)	Est. prepared by JE/MES/Shri	Technically Sanctioned by EE/SE/CE	Admn. Approval by S/Shri	Tender Allotted to the agency
1	Rough Cost Estimate of Construction of Nalla and coloursGrassi Payer Block with Black Grass, Tree, Tree Guard and Painting work in Flyover &govt Boundary walls in Rohtak City , Welcome Gate in MC limit, Revenue colony Beautification and Green belt of sector 14 Beautification, in Village Dobh Bhiwani Road ,in Delhi bye to Tilyar (Hotel Management), Delhi bye pass to Sheela bye pass(outer Ram gopal colony Ring road, outer tilaknagar Ring road , outer bharat colony ring road, outer chotu ram stadium Ring road), Sheela bye Pass to Bohar drain (outer Chotu Ram stadium, Outer Basantvihar colony, Ramgopal colony outer, inderparast outer, Thau Nagar outer Sec 3 and 4 Outer, Sec 2-3 Part outer), Palika fly over to village Dobh MC limit (Bhiwanichungi, Outer SherVihar Colony) , Delhi by pass to Ambedkarchowk (Mdu outer, sec 14 outer, dev colony outer, jaatclg outer, power house outer, medical more, d-park toward Ashokachowk, sonipat stand to Ambedkarchowk Rohtak	5426.99	1: Rajkumar, JE 2: HitenderRathee, JE 3: AmanRathee, ME 4: SatyaPrakash, ME 5: ShantSuhag, ME 6: ManjeetDahiya, EE 7: Naveen Dhankhar, EE	Chief Engineer, ULB vide letter No. EE-III/DULB/ 2019/4396 dt. 04-07-2019	Director, ULB vide letter No. EE-III/DULB/ 2019/4098 dt. 14-06-2019	M/s Parwati Enterprises
2	Rough Cost Estimate of Construction of Nalla in Mastnath university to AshtalBoharFatak and Village BaliyanaFirmi, Pehrawar village firmi, Pehraware to Karotha Road Maine Drain in, Rohtak	3207.15	1: Rajkumar, JE 2: HitenderRathee, JE 3: AmanRathee, ME 4: SatyaPrakash, ME 5: ShantSuhag, ME 6: Manjeet Dahiya, EE 7: Naveen Dhankhar, EE	Chief Engineer, ULB vide letter No. EE-III/ DULB/ 2019/ 4396 dt. 04-07-2019	Director, ULB vide letter No. EE-III/ DULB/ 2019/4098 dt. 14-06-2019	M/s Parwati Enterprises

1.3 Further, Municipal Corporation, Rohtak vide letter No. MCR/XEN/2020/370 dated 12/03/2020 (**Annexure 1/2** Page No. 1-4) submitted the report in reply to letter No.DULB/SIT/2020/212 dated 06.03.2020 as follows:-

Sr. No.	Name of Town/MC	Name of Works	Original DPR Cost (Rs. in Lakh)	DNIT Cost (Rs. in Lakh)	No. of agencies participate	No. of Agencies Technically Qualified	L-1 Rate (Rs. in Lakh)	L-2 Rates (Rs. in Lakh)	L-3 Rates (Rs. in Lakh)	Actual Amount of work executed (Rs. in Lakh)	Variation from DNIT (Rs. in Lakh)	Reason of Variation
1	2	3	4	5	6	7	8	9	10	11	12	13
1	Rohtak	Providing and Laying of Mastic Layer from Mata Darwaja Chowk to BalaknathJohad, Ward No. 3, Rohtak.	79.31	77.70	5	5	69.14	69.64	72.01	69.62	-	-
2	Rohtak	Providing and Laying of Mastic Layer from Mata DarwajaChowk to Sabji Mandi Old Bus Stand, Ward No. 3, Rohtak.	91.54	89.99	5	5	80.24	84.19	84.84	91.54	1.55	Demanded by public
3	Rohtak	Providing and Laying of Mastic Layer from Balaji Body Maker to Jind Chowk, Ward No. 3, Rohtak.	97.86	96.69	7	7	85.79	86.41	87.80	94.89	-	-
4	Rohtak	Providing and Fixing 80mm Thick I.P.B. under R.O.B. Jind Road Near Railway Line, Vishkarma Engg. Works to H/o Ashok Nehru Colony etc. and P/L Mastic Layer from H/o Subhash Wali Gali Indira Colony etc. and	53.65	50.25	2	2	48.16	48.86	-	50.05	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13
		Const. of Boundary Wall Iyayamshala in Gaukaran Park, Ward No. 1, Rohtak.										
5	Rohtak	Providing and Laying of Mastic Layer from Jat Dharamshala to Gaur School via Gaukaran Park, Mata DarwajaChowk to Dayanand Math Wala Road and Providing and Laying of Interlocking Paver Block and Civil Works from Mata DarwajaChowk to Gaukaran Park, Ward No. 3, Rohtak.	91.50	87.96	4	4	74.23	75.48	77.81	90.21	2.25	<i>Demanded by local residents</i>
6	Rohtak	Providing and Laying of Mastic Layer from Akash- waniChowk to New Bus Stand Road via Prem Nagar Chowk, Ward No. 7, Rohtak.	90.26	89.37	3	3	68.76	72.62	79.19	90.20	0.83	<i>Demanded by public</i>
7	Rohtak	Providing and Laying of Mastic Layer from Prem Nagar Chowk to Divya Yog Mandir, Ward No. 7, Rohtak.	71.31	70.61	3	3	55.52	57.11	62.81	71.29	0.68	<i>Demanded by public</i>
8	Rohtak	Const. of Mastic Road from Shop of Ishwar Property to H. No. 1415 KusumKuni, H.No. 1214 to H. NO. 1221 in Sector-I, Ward No. 11, Rohtak.	98.21	97.24	2	2	97.13	97.25	-	98.07	0.83	<i>Demanded by public</i>
9	Rohtak	Const. of Mastic Road from From H/o Dr. K.K Verma H.No. 137 to H.No. 994,	65.10	64.46	2	2	76.89	81.51	-	99.84	35.38	<i>Demanded by M.C and local</i>

1	2	3	4	5	6	7	8	9	10	11	12	13
		H/o Dr. Omparkash, Ashok PaniWala, H/o Prem Singh Gaba to H/o Maddu, Kamta Sharma, H/o Manoj to Gulshan Dairy, H/o KrishanLal to H/o Inder Kumar Soni near Shiv Park and H/o Sarvan Kumar Gupta to H/o Badrinath Malhotra and various approach streets in Ward No. 19, Rohtak.	82.74	81.92	2	2	73.95	76.75	-	82.48	0.56	<i>Demanded by public</i>
16	Rohtak	Providing and Laying of Mastic Layer from Charkh- amba to Navjeevan Hospital, Ward No. 13, Rohtak.										
17	Rohtak	Providing and Laying of Mastic 98.60 Layer from Bhagat Singh Park- ing to Jind Road and Standard Sweets to Mata DarwajaChowk via M.S. Saraswati School, Ward No. 17, Rohtak.	98.60	97.63	2	2	98.98	101.77	-	78.50	-	-
18	Rohtak	Providing and Laying of Mastic 60.53 Layer from Mandi to Shiv Mandir, Main street Khanna Coaching Center, RomiChawla and Tikona Park Street, Street in front of Ramtila Park, Street along park side, Street along Ramtila Park and Street near Tikona Park, Shivaji Colony, Ward No. 19, Rohtak.	60.53	59.93	3	3	59.33	61.87	72.06	49.40	-	-
19	Rohtak	Providing and Laying of Mastic 73.86 Layer from Ashokachowk to old ITI fly over in Ward No. 11, Rohtak.	73.86	72.28	5	5	60.24	60.68	63.14	85.45	13.17	<i>Demanded by M.C and local residents</i>

20	Rohtak	Providing and Laying of Mastic Layer in Main Quilla Road, Ward No.14, Rohtak.	24.98	24.34	4	4	21.51	23.38	23.71	35.66	11.32	Demanded by public
21	Rohtak	Providing and Laying Mastic Layer alongwith D.A.V. School WaliGali and Branches Gali, Peer Baba WaliGali in Kamla Nagar, Ward No. 18, Rohtak.	32.57	31.61	2	2	29.77	31.33	-	26.80	-	-
22	Rohtak	Providing and Laying of Mastic Layer from Arya Nagar Chowk to Jhajjar Road, Ward No. 12, Rohtak.	84.07	82.29	3	3	50.28	58.95	68.91	83.74	1.45	Demanded by public
23	Rohtak	Construction of Nalla and colours Grassi Payer Block with Black Grass, Tree, Tree Guard and Painting work in Flyover & govt Boundary walls in Rohtak City, Welcome Gate in MC limit, Revenue colony Beautification and Green belt of Sector 14 Beautification, in Village Dobh Bhiwani Road, in Delhi bye to Tiyyar (hotel Management), Delhi bye pass to Sheela bye pass(outer Ram gopal colony Ring road, outer tilaknagar Ring road, outer bharat colony ring road, outer chotu ram stadium Ring road), Sheela bye Pass to Bohar drain (outer Chotu Ram stadium, Outer Basanvihar colony, Ramgopal colony outer; inderparast outer; Thau Nagar outer Sec 3 and 4 Outer; Sec 2-3 Part outer;Palika fly over to	5426.99	5373.26	2	2	5673.91	6548.93	-	3075.00	-	Demanded by M.C., public and RWA

1	2	3	4	5	6	7	8	9	10	11	12	13
		village Dobh MC limit (Bhiwani-chungi, Outer sherVihar colony), Delhi by pass to Ambedkar chowkMdu outer, sec 14 outer, dev colony outer, jaatclg outer, power house outer , medical more, d-park toward Ashoka chowk, sonipat stand to AmbedkarchowkRohtak										
24	Rohtak	Construction of Nalla in Masmath university to Ashtal boharFatak and Village Balyana Firmi, Pehraware village firmi,Pehraware to Karotha Road Main Drain in, Rohtak	3207.15	3175.40	2	2	3421.46	3921.97	-	2413.64	-	-

- 1.4 Similar information with respect to works of mastic asphalt was sought from all the municipal bodies of Haryana and the information received has been annexed as **Annexure 1/3** Page No. 1-20. Having considered the information and replies provided by the municipal bodies, and the complaint in question the various allegations have been divided into sub-allegations and the observations of the committee are being furnished pertaining to the sub-allegation as follows:

Sub-Allegation- A

- 1.5 *“It has been observed that Mastic Asphalt is being used on general roads in Rohtak Town resulting into the wasteful expenditure causing heavy loss to the state exchequer. Laying of Mastic Asphalt is very costly as compared to conventional Bituminous wearing courses. Mastic is generally used on bridge decks and heavily stressed areas i.e., junctions and toll plazas where frequent acceleration and stopping of vehicles is observed (comments of PWD B&R are attached). Mastic asphalt is not laid on general roads as per MORTH specifications”.*

Observation

- 1.6 **Here the main allegation is that mastic asphalt is a very costly item and was used indiscriminately on general roads in Rohtak town in contravention of the MORTH specifications resulting into wasteful expenditure. The committee analysed the MORTH specifications in this regard, and particularly Section 516 pertaining to mastic asphalt. As per Section 516.1, 516.4 and 516.5, the MORTH specifications prescribes that a single layer of mastic asphalt wearing course can be used for road pavements and bridge decks and that mastic asphalt can be laid on the concrete surface(Annexure 1/4 Page No. 1-33).**

It has also been alleged that mastic asphalt is generally used on bridge decks and heavily stressed areas like junctions and toll plazas. Municipal Corporation, Rohtak in its reply has reported that PWD (B&R) Department has not carried any work of laying of mastic asphalt on roads. Further, the committee members interacted with some officials of the B&R Department who confirm that mastic asphalt is being generally used on heavily stressed area like bridge decks and road junctions etc.

- 1.7 **After considering the MORTH guidelines, reply of Municipal Corporation, Rohtak and discussions with B&R Department the committee has concluded that there is nothing in the MORTH guidelines which prohibits the use of mastic asphalt as a wearing course on roads. However, the committee is of the opinion that laying of mastic asphalt being a costly item should be discouraged for general use on road/streets as it does not offer additional advantages in terms of resistance to water etc.**

Sub-Allegation- B

- 1.8 *“NGT vide its OA No. 21 of 2014 in the matter of Vardhman Kaushik v/s Union of India, has directed that there shall be no hot mixing on road side. All public*

authorities, particularly the PWD, DDA and others should themselves, during construction and maintenance of roads, ensure that coal tar, bitumen and/or Asphalt mix is brought in Molten condition and the same is neither burnt nor fire is put to melt these substances on the open roads. As per NGT orders, laying of mastic asphalt is totally prohibited in NCR due to heavy pollution involved in the process of mastic asphalts”.

Observation

- 1.9 The NGT in original application No. 21 of 2014 issued order on 04-12-2014 and at point No. 24(Annexure 1/4 Page No. 1-33) it has directed that:-**

“There shall be no hot mixing on the road side. All public authorities, particularly the PWD, DDA and others should themselves, during construction and maintenance of roads, ensure that coal tar, bitumen and/or asphalt mix is brought in molten condition and the same is neither burnt nor fire is put to melt these substances on the open roads”.

- 1.10 Municipal Corporation, Rohtak has mentioned in its reply that it has provided the Mastic Asphalt Layer as a wearing course and the asphalt was not burnt on the road side. The plant for mastic asphalt was established in the open surrounding areas. While carrying out the work of mastic asphalts, pollution level in the atmosphere were taken care of and after the NGT issued instructions in the year 2019 to control the pollution, Municipal Corporation, Rohtak stopped the work of laying mastic asphalts.**

The works of Asphalt Mastic was carried out in other ULBs also such as Sonipat, Hisar, Indri, Nilokheri, Thanesar, Cheeka, Fatehabad, Kalanaur, Meham, Palwal, Ganaur, Taraori, Ladwa, Karnal, Jhajjar, Gohana, Gharunda and Kanina.

- 1.11 The committee is of the opinion that this complaint cannot be substantiated at this point of time and an advisory should be issued by the Environment Department to all the Engineering Departments of the Government of Haryana to adhere to the orders of the observations of the NGT in letter and spirit.**

Sub-Allegation- C

- 1.12 “The prevailing rates as per PWD B&R for laying of B.C. of 30mm and 40mm thick are Rs. 225/- & Rs. 300/- respectively. Instead of laying of BC on general roads in towns which is required as per MORTH specifications, in Municipal Corporation, Rohtak, Municipal Corporation, Sonipat and Municipal Committee, Jhajjar 25 mm thick mastic asphalt is being laid and that too on very high rates of approx. Rs, 900 to 1100 per sqm., 3 times length of roads could have been repaired within the expenditure incurred if even 40mm BC was laid.**

The information in this respect was sought from Commissioner MC Rohtak on dated 05.12.2019 but the same is still awaited. It has come to my notice that such works have been executed in Municipal Corporation, Rohtak to the tune of Rs. 90-100 crores at very high rates as mentioned above. Thereafter the work

was assigned to another agency back to back at the rate of Rs. 455/- per sqm. All of it was got done by Shri Manish Grover, Ex-ULB State Minister by putting pressure on local officers just to favour a particular agency by putting undue conditions in the tender to fulfil his vested interest. The above facts reflect that at least Rs. 40-50 crores loss has been caused to Municipal Corporation, Rohtak.

Shri Manish Grover who is an illiterate person generally seen praising himself in the public meetings saying that I'm getting constructed such roads in Rohtak which shall not last even 20 years. He has violated NGT orders and misused his powers and through undue pressure on local officers have managed such type of illegal works only for his vested interest. Undue expenditure has been incurred on the constructions of roads by adopting mastic asphalt instead of using conventional bituminous courses and that too on very high rates i.e., 120% higher than the prevailing rates in PWD B&R”.

Observation

- 1.13** The committee has already dealt with the issue of laying of mastic asphalt on general roads instead of premix bituminous carpet in the para relating to sub-allegation 'A'. The detailed information with respect to all the mastic asphalt works was sought from Municipal Corporation, Rohtak (Annexure 1/5 Page No. 1-161) and all the other municipal bodies of Haryana (Annexure 1/3 Page No. 1-20).

A careful analysis of information provided by Municipal Corporation, Rohtak reveals that total number of 24 works related to mastic asphalt have been awarded in 2018 and 2019 on rates varying from Rs. 547 per sq. mtr. to Rs. 874 per sq. mtr.

Also the laying of mastic asphalt being a non-scheduled item in Haryana Scheduled of Rates (HSR), there is no reference rate for this item.

- 1.14** Committee observed that after close scrutiny of rates at which these works was awarded reveals a wide variations in the rates for which there is no satisfactory reply provided by Municipal Corporation, Rohtak. The committee wants to draw attention towards works awarded on 06.03.2019 of which 13 works pertaining to mastic asphalt were awarded on rates varying from Rs. 560 to Rs. 699 per sq mtr. The Municipal Corporation, Rohtak should ideally have negotiated with the bidders/higher rates and ensured uniformity of rates while awarding works in the same time period.

As per report of Municipal Corporation, Rohtak, PWD (B&R) have not awarded any works of laying of mastic asphalt and, therefore, comparison of these rates with PWD B&R awarded rates could not be made. As per allegations pertaining to Sh. Manish Grover are concerned, there is no concrete evidence provided by the complainant which can further be enquired into.

Sub-Allegation- D

- 1.15 *"It is also mentioned that Mr. Varshney, STP is working in Municipal Corporation at Rohtak since last about 10 years. He is very closely associated with Sh. Manish Grover and fully involved in all such illegal activities".*

Observation

- 1.16 As far as the association of Sh. Varshney with the then Urban Local Bodies State Minister is concerned, it is clearly stated by the Commissioner, Municipal Corporation, Rohtak in its report (Annexure 1/1 Page No. 1-43) that there is no personnel association with the then Urban Local Bodies State Minister because the work of Geo-Lab, Swachh Survekshan 2020 and coordination was given to him. Being a Senior Officer, he was deputed from time to time during the hearing of public grievances with the then Urban Local Bodies State Minister and he also accompanied Sh. Grover on the stage in different Corporation's programmes representing the Corporation. Moreover, works of mastic asphalt were carried out by Engineering Branch in which there is no involvement of Senior Town Planner.
- 1.17 The committee agreed with the observations of the Commissioner-Municipal Corporation-Rohtak and concluded that this allegation is devoid of merit and cannot be substantiated.

Sub-Allegation- E

- 1.18 *"Shri Manish Grover, the then ULB State Minister managed all such illegal technical and administrative approvals from Chandigarh in conspiracy with the then ACS Shri Anand Mohan Saran and CE Shri O.P. Goyal. It is very surprising that MCR has laid mastic asphalt on the sector major roads belonging to HUDA inspite of the objections raised by HUDA.*

Further, it is mentioned that with the direction of the Minister of ULB, specified eligibility criteria was added just to favour a particular agency and to make the participation of agencies to the limited extent.

The conditions are regulated in terms of similar works executed by the agency on the basis of major component in the scope of proposed works in the DNIT whereas the conditions are applied on the basis of minor component to favour a particular agency with whom Shri Manish Grover Ex.-ULB State Minister has back door partnership in all these works".

Observation

- 1.19 As per information provided by Municipal Corporation, Rohtak (Annexure 1/1 Page No. 1-43) for all cases of executed development works, administrative and technical approvals have been sought from the competent authority in each case. Further Municipal Corporation, Rohtak has also provided the NOC given by HSVP (Annexure 1/6)

Further, the Municipal Corporation, Rohtak has also mentioned in its reply that the sector roads of HSVP stands transferred to Municipal Corporation, Rohtak and hence, they were authorised to carry out repair works on these roads.

Further, regarding allegations of specific eligibility criteria to favour a particular agency with respect to the tender of works in question (Annexure 1/7 Page No. 1-20), the committee has carefully analysed the allegation and information provided by Municipal Corporation, Rohtak.

- 1.20 The committee has not found any major deviations from the prescribed guidelines by the Department with respect to eligibility criteria and the committee has also observed that technical and administrative approval have been sought by the Municipal Corporation, Rohtak from the competent authority.

-Sd-

SANJAY MAHAJAN,
Chief Engineer,
HPHC

-Sd-

A.K. PAHWA,
Chief Engineer (Retd.),
PHED

-Sd-

SURAJ BHAN BURA,
Chief Engineer (Retd.),
PWD(B&R)

-Sd-

DR. AMIT KUMAR AGRAWAL, IAS,
Director General, Urban Local Bodies, Haryana,
Panchkula.

Thereafter, the Committee satisfied with the reply of the concerned department, in its meeting held on 22.02.2022 and accordingly disposed of petition/representation.