



HARYANA RIGHT TO SERVICE COMMISSION
S.C.O. No. 38 & 39 (2nd FLOOR), SECTOR 17-A, CHANDIGARH-160017
E-mail: rtsc-hry@gov.in Telephone: 0172-2711050

HRTSC/File no.87/ SM-227/ 4482

Dated: 20.10.2022

To

Sh. Manoj Kumar,
RFO, Charkhi Dadri

Subject: - Final order regarding Suo-moto notice no. HRTSC/File no.87/SM-227/2679 dated 01.07.2022.

I am directed to forward herewith a copy of the order dated 14.10.2022 passed by Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, Chandigarh in respect of above case for information and compliance.

BY THE ORDER OF THE HARYANA RIGHT TO SERVICE COMMISSION AT CHANDIGARH.

Encl: as above.



(Sube Khan)

Under Secretary-cum-Registrar
For Haryana Right to Service Commission
E-mail: rtsc-hry@gov.in



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ORDERS

Final Orders in respect of following suo moto notices:

1. HRTSC/File no.87/SM-91/1113 issued to Ms. Hairatjit Kaur, DFO, Ambala.
2. HRTSC/File no.87/SM-94/1116 issued to Ms. Niveditha Bojarajan, DFO, Bhiwani.
3. HRTSC/File no.87/SM-96/1118 issued to Sh. Balbir Singh Khokha, DFO, Charkhi Dadri.
4. HRTSC/File no.87/SM-98/1120 issued to Sh. Sunder Lal, DFO, Rewari
5. HRTSC/File no.87/SM-100/1122 issued to Sh. Jaikumar Narwal, DFO, Gurugram.
6. HRTSC/File no.87/SM-218/2670 issued to Sh. Vasvi Tyagi, IFS, CCF, South Gurugram.
7. HRTSC/File no.87/SM-220/2672 issued to Sh. Karamvir Malik, RFO, Gurugram.
8. HRTSC/File no.87/SM-221/2673 issued to Smt. Sudesh Kumari, Assistant, (through O/o DFO Gurugram).
9. HRTSC/File no.87/SM-222/2674 issued to Sh. Vikram Singh, the then RFO Sohna (through O/o DFO Gurugram).
10. HRTSC/File no.87/SM-223/2675 issued to Sh. S. Narayanan, IFS, Member Secretary, Haryana Pollution Control Board.
11. HRTSC/File no.87/SM-225/2677 issued to Sh. Abhay Singh, RFO, Nahar, Rewari.
12. HRTSC/File no.87/SM-226/2678 issued to Sh. Rakesh Kumar, Dealing Assistant, (through O/o DFO Yamunanagar).
13. HRTSC/File no.87/SM-227/2679 issued to Sh. Manoj Kumar, RFO, Charkhi Dadri.
14. HRTSC/File no.87/SM-228/2680 issued to Sh. Atul Sirsikar, IFS, CCF, West Circle Hisar.

Interim Orders in respect of following suo moto notices:

1. HRTSC/File no.87/SM-88/1110 issued to Sh. Ram Kumar Jangra, DFO, Panchkula.
2. HRTSC/File no.87/SM-89/1111 issued to Sh. R.S. Dhull, DFO, Gurugram.
3. HRTSC/File no.87/SM-90/1112 issued to Sh. Suraj Bhan, DFO, Yamunanagar.
4. HRTSC/File no.87/SM-99/1121 issued to Sh. Bhupinder Singh, DFO, Panchkula.
5. HRTSC/File no.87/SM-219/2671 issued to Sh. Afzal Khan, RFO, Nuh.
6. HRTSC/File no.87/SM-224/2676 issued to Sh. Sunil Sharma, the then Range Forest Officer (Retd.), Pinjore.
7. HRTSC/File no.87/SM-229/2681 issued to Sh. G. Raman, IFS, APCCF Development Haryana, Panchkula.

1. An RTS review was held on 27.07.21 with the officers of Haryana Forest Department under the chairmanship of Chief Commissioner, Haryana Right to Service Commission to discuss the RTS performance of the Department in its two notified services – 190 'Permission for Felling of Trees' and 191 'NOC in respect of PLPA or Forest or Restricted Lands'. Inter alia, the Department was asked to share data pertaining to cases for the two services delivered outside RTS timelines for the period 01.07.20-30.06.21. The Department was further instructed to share monthly RTS performance reports with the Commission by 10th of every month. While data for the period 01.07.20-30.06.21 was shared by the Department vide their letter no. MIS/36 dated 02.09.21 informing of 521 and 114 delayed cases for both the services respectively across the State, the details pertaining to Designated Officers were missing. On Commission's

reminder, revised data of delayed cases for the periods 01.07.20-30.06.21 and 01.07.21-07.01.22 was shared by the Department vide their letter no. MIS/92 dated 13.01.22. The same informed of 526 and 117 delayed cases for both the services respectively for the period 01.07.20-30.06.21 and; 36 and 9 delayed cases for both the services respectively for the period 01.07.21-07.01.22 along with the names of Designated Officers. The total of delayed cases across the two services for both the periods came to 688. 230 of these fell in the COVID wave 1 and 2 periods (July,20-August,20 and Mid-March,21-June,21). Considering that offices were functioning with limited staff and almost all Departments, including Forest, were also called upon to support the COVID relief work, all these cases were filed by the Commission. 17 cases were also filed owing to minor delays in very limited cases from the concerned officers and for 6 cases, explanation was sought from CF, Gurugram Office and PCCF office. For the remaining delayed cases- Suo moto notices were issued to 14 DFOs to ascertain the reasons for delay and if imposition of penalty was called for.

2. Replies were received from all of the 14 respondents and all of them also appeared for hearing before the Commission in person or through VC on 19.04.22. One of the respondents, Ms. Niveditha Bojarajan had enclosed an internal order of the Department dated 08.06.20 informing of the breakdown of timelines to be adhered to by various functionaries involved in delivery of the notified services. It broke down the 15 working days timeline for both the services as- up to 2 days for forwarding of application to RFO for field verification, up to 7 days for concerned RFO to carry out the filed verification and up to 6 days for DFO/concerned Conservator of Forests for final approval/rejection. In all the cases for which the Suo Moto notices had been issued, one or many of these staged timelines were found to be breached. Additionally, another one of the respondents- Ms. Hairatjit Kaur had mentioned in her reply that the present notified timeline of 15 days for the services was not adequate owing to field verification requirements and should be increased to 30 days. At the outset itself, all the respondents were told that the timeline of 15 days had been proposed by the Department itself in 2016. The Commission then had simply accepted the same and the Government issued a Gazette notification prescribing this timeline. They were also told that even the Commission is of the opinion that the timeline for 15 days is a little too tight and will be open to a proposal for increase in the same. They were also informed that considering the same, the Commission will not be imposing any penalty in the cases presently under consideration where 30 or less than 30 days had been taken. However, they were also warned that this relaxation will only be allowed for another couple of months and if no proposal to increase the timeline is received from the Department during this time, Commission will be taking cognizance of future cases according to the presently notified timelines only. Post this, vide Commission's orders dated 13.05.22, while final decision on most of the cases under consideration, where either an acceptable reason for delay was observed or lapse was observed at the end of the concerned DFO, had been taken and conveyed, further clarifications and replies were sought in some cases.

3. In multiple case pertaining to DFO, Gurugram (erstwhile), Sh. R.S. Dull, further inquiry was found necessary. In two cases (no.XQ18WUEAW2 and no.K44JQ494X5),

inordinate delay was observed on the part of concerned RFO. Sh. R.S. Dhull was directed to provide names of concerned RFOs in both the above cases. In the latter, Sh. R.S. Dhull was also asked to clarify what was the final decision in the cases as the same was not clear from his report. A reply from dated 23.05.22 informed that the former was approved but the latter was eventually rejected. Similarly, inordinate delay was observed on the part of Dealing Assistant in cases - no. R3TUUQCPJ3, no. KW1KKTAQ5D and no. JUW73PXG3L. Sh. R.S. Dhull was directed to submit names of concerned Dealing Assistants in all three of these cases. In case no. J542G7Y8DG, delays were observed on part of concerned RFO, CF and succeeding DFO. Sh. R.S. Dhull was directed to submit names of all 3 concerned. Sh. R.S. Dhull provided all the asked for information vide his reply dated 23.05.22, based on which further suo moto notices were issued (included in a subsequent list of 23 cases).

4. Two cases pertaining to Ms. Hairatjit Kaur, DFO Ambala had been kept on hold for want of further documents from her side. In one case (no.H5BKJLTU9Y), it was informed that the applicant had been asked for clearing of certain shrubs (required as cited by her for a field verification) multiple times which led to the delay. She also informed that reminders had been issued to the concerned RFO in this case, which she was asked to share with the Commission over mail. In another case (no. XDXTXBML9), her reply had informed that the application was rejected owing to the non-provision of affidavit signed by all shareholders of the material land. She was informed that taking action against unjustified rejections of notified services is also under the purview of the Commission and was asked as to why an affidavit was asked for when Government of Haryana, vide letters no. 62/09/2010-6GS1 dated 22.08.2016 and U.O. No. 62/09/2010-6GS-I dated 23.11.2021, had done away with the need of affidavit. She was then asked to mail relevant guidelines under which this objection was put to the Commission by 20.04.22. She shared the required documents as asked in both the cases vide her reply dated 18.05.22. For the former case, she shared copies of 5 reminders issued to the concerned RFO and in the latter case, instructions dated 29.02.2008 from the PCCF were shared by her, which supported her asking of the affidavit. It was observed in the latter though that her reply dated 11.04.22 had mentioned that 'affidavit signed by all the shareholders was required to be attached with the application'. The instructions of PCCF shared by her mention that in case of joint ownership, all the joint owners must sign the application. It is in case all the shareholders are not available readily that a sarpanch or another responsible person will provide an affidavit stating that they will be responsible for proper payment of their shares. While both the cases are being filed, she is directed to seek only signatures of joint owners on the application in such cases. PCCF is also advised that in view of the fore-mentioned instructions of the Government, the requirement of affidavit should be removed in all cases.

5. In one case pertaining to DFO-Sh. Bhupender Singh (no. NX6ME2XYTH), 87 working days had been taken to complete the same, the most across all officers in the State. It was informed during the hearing dated 19.04.22 that as per orders of higher authorities, no applications for tree felling were to be approved between April and September owing to Fire and Rainy season. Ms. Niveditha, RTS nodal confirmed the

same and was asked to share the instructions with the Commission. The same were shared by her vide her letter dated 19.05.22 along with a letter dated 29.04.21 from the CCF-North pertaining to the case under question. The shared PCCF instructions were from 1989 and on perusal of the same, it was observed that they restricted tree felling from July-September and not from April. The CCF-North's April month letter in the relevant case stating that in view of seasonal issues, there is restriction on tree cutting till 30th September seemed discretionary. Clarification was thus sought on the same from PCCF, who replied vide letter dated 10.06.22 defending CCF-North's decision. The response had enclosed CF-North, Ambala's instructions dated 06.07.89 and instructions from PCCF dated 29.02.08 making the former applicable across the state. Neither of the two explicitly stated prohibition on felling of trees from April-September. However, PCCF's response also stated that this restriction is in ecological interest. Commission's response dated 15.07.22 acknowledged the need for the restriction in ecological interest but communicated the vagueness observed in the instructions shared. It was communicated that the letter dated 29.02.2008 vide which guidelines applicable in the North Circle were adopted for other circles also, nowhere explicitly bar felling of trees during any period and that it rather clearly says that applications in this regard will be received in the Range Office twice during the year i.e. May and September. If the permission is not to be granted from April till September, then why the applications are being called in the month of May? It was also mentioned that these instructions seemed to be stop gap arrangement as they mention that these shall also be considered to be applicable to whole of Haryana till separate guidelines for other circles are approved. It was hoped that during last 14 years, separate guidelines should have been prepared and circulated. Further, the letter dated 29.02.2008 on which reliance has been placed for barring cutting of trees between April to September, only states that no permit be issued during rainy season from 1st July to 30th September. This letter also does not talk about non-issuance of permits in the month of April, May and June. Communicating Commission's observation that no clear instructions have been issued by the Office of PCCF till date regarding the "ban period" for felling of trees in areas enclosed under General Section 4 of PLP Act, 1900, PCCF was requested to clarify on the same at the earliest. However, reply on this matter is still awaited. PCCF is requested to take necessary action on this within 30 days of the issuance of these orders.

6. In one case (X7B150C900) pertaining to DFO Gurugram (erstwhile)- Sh. Jai Kumar Narwal, some discrepancy was observed in the dates mentioned in his report dated 02.05.22 and the dates on the noting sheet of the case attached with the reply (for instance, the report mentions 26.08.20 as the date of forwarding the case to concerned RFO but the noting sheet seems to suggest that the forwarding happened on 09.10.20. Sh. Jai Kumar was directed to re submit a revised report for this case explaining the discrepancies. While his reply dated 30.05.22 informed of delay on the part of the concerned RFO in the case, the same still did not provide clarity on the discrepancies between dates mentioned by him the reports and those visible on the noting sheets. On telephonically following up, he stated that since he was posted elsewhere now, he was facing difficulty in obtaining the file of the case. In view of the

recent almost 100% within RTS delivery of services by the Department as a whole, the Commission is giving him the benefit of the doubt and filing the case based on the dates report provided by him. He may note though that similar leniency should not be expected in case such a lapse is found again.

7. In the following 23 cases, the lapse was observed at the end of officers other than the 14 respondent DFOs and hence 12 more suo moto notices were issued, asking the respondents to reply by 21.07.22 and appear before the Commission for hearing on 25.07.22 in person or through VC:

| Sr. No. | Application no. | Total Time Taken | Responding DFO | Lapses identified | Officer Involved |
|---------|-----------------|--------------------------------------|----------------------------------|--|---|
| 1 | WQ3C45T416 | 33 days (HQ report had mentioned 44) | Sh. Ram Kumar Jangra (Panchkula) | Delay by RFO- Case sent to them for site verification on 13.10.20 but returned on 10.11.20. | RFO-Sh. Sunil Sharma (Later informed to be Sh. Anil Sheoran vide letter dated 19.07.21 from Sh. Ram Kumar Jangra) |
| 2 | MEU29TX5P6 | 46 days | Sh. Ram Kumar Jangra (Panchkula) | Delay by CCF- Case sent to CCF office on 12.11.20 but received back on 14.12.20 with rejection orders. | CCF North, Sh. G. Raman, IFS |
| 3 | JA21PDHWM | 31 days | Sh. Ram Kumar Jangra (Panchkula) | Discretionary Decision making by CCF- First Permission given for felling of 37 trees and then changed to 73 trees on approach of the applicant. | CCF North- Sh.G. Raman, IFS |
| 4 | XQ18WUEAW2 | 36 | Sh. R.S. Dhull (Gurugram) | Delay on part of RFO- Case sent to them on 02.02.21 and received back on 17.03.21. | RFO-Sh. Karamvir Malik |
| 5 | K44JQ494X5 | 42 | Sh. R.S. Dhull (Gurugram) | Delay on part of RFO- Case sent to RFO on 10.02.21 and received back on 13.04.21 | RFO- Sh.Afzal Khan |
| 6 | R3TUUQCPJ3 | 47 | Sh. R.S .Dhull (Gurugram) | Delay on the part of dealing assistant | Ms. Sudesh Kumari |
| 7 | KW1KKTAQ5D | 68 | Sh. R.S. Dhull (Gurugram) | Delay on the part of dealing assistant- 1. RFO report received on 03.03.21; Receipt by Dealing on 09.03.21 and put up on 13.03.21; 2. Receipt of order of CF seeking clarification- 18.03.21; Put up by clerk- 25.03.21. 3. Receipt of clarification from Patwari branch- 05.04.21; Put up by clerk- 16.04.21 | Ms. Sudesh Kumari |
| 8 | JUW73PXG3L | 32 | Sh. R.S .Dhull (Gurugram) | Delay on the part of dealing assistant: 1. Order by DFO on 10.03.21 for asking RFO for a clear report; Letter sent to RFO on 19.03.21. 2. RFO submitted revised report on 31.03.21; Put up by | Ms. Sudesh Kumari |



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| | | | | dealing Asstt. on 15.04.21. CASE EVENTUALLY REJECTED. | |
| 9 | J542G7Y8DG | 59 | Sh. R.S. Dhull (Gurugram) | Delay on the part of RFO, succeeding DFO and CF. 1. Case sent to RFO on 03.03.21 and received back on 26.03.21. 2. Case sent to CF office on 01.04.21 and received back on 26.04.21 ordering further site inspection by DFO. 3. Case put up to DFO on 30.04.21 and site inspection done on 17.05.21. 4. Case sent again to CF office on 19.05.21 and approval received on 21.05.21. | CF-Ms. Vasvi Tyagi RFO-Sh. Karamvir Malik DFO- Sh. R.S. Dhull |
| 10 | NFHYFMTW35 | 32 | Sh. R.S. Dhull (Gurugram) | File lost. Ms. Sudesh Kumari informed to be the dealing responsible | Ms. Sudesh Kumari |
| 11 | M6PUX7FM5G | | Sh. Suraj Bhan (Yamunanagar) | Unnecessary discretion on part of CCF | CCF North, Sh. G. Raman, IFS |
| 12 | VY5U2CVPBT | 32 | Sh. Suraj Bhan (Yamunanagar) | Delay on the part of the dealing assistant: 1. RFO report received in offline mode on 09.10.20 and online on 19.10.20; Put up by delaing on 21.10.21. 2. Orders of CCF-Ambala received on 30.10.20 but put up by assistant on 05.11.20. SHOW CAUSE NOTICE ISSUED BY DFO ALSO. | Sh. Rakesh Kumar |
| 13 | LM4R62LRG5 | 32 | Sh. Suraj Bhan (Yamunanagar) | Delay on the part of the dealing assistant. 1. RFO report received on 02.11.20 and put up by clerk on 05.11.20. 2. Orders done by DFO on 05.11.20 but the case forwarded to CCF-North on 11.11.20. SHOW CAUSE NOTICE ISSUED BY CF ALSO. | Sh. Rakesh Kumar |
| 14 | G3TTCWEN54 | 49 (informed by HQ to be 64 working days) | Ms. Niveditha Bojarajan (Bhiwani) | CF-West sent the application to PCCF, even though they were competent for the same. This led to delay. Case was sent to CF-West on 16.11.20 and received back in DFO office on 05.01.21 | Sh. Atul Sirsikar, IFS |

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| 15 | WB9BP0T112 | 48 | Sh. Balbir Singh Khokha (Charkhi Dadri) | Delay on the part of the RFO- Case sent to RFO on 23.02.21 but report received on 24.03.21 vide letter dated 19.03.21. Reminders dated 02.03.21, 10.03.21 and 16.03.21 were issued to RFO as per DFO report. | Sh. Manoj Kumar |
| 16 | HLAWFG875B | 40 | Sh. Sunder Lal (Rewari) | Delay on the part of the RFO Case sent to RFO on 17.09.20 but report received from them on 22.10.20. | RFO, Sh. Abhay Singh |
| 17 | QHPRTGWW57 | 36 | Sh. Sunder Lal (Rewari) | Delay on the part of the RFO Case sent to RFO on 21.09.20 and received back on 30.10.20. | RFO, Sh. Abhay Singh |
| 18 | R87684UY60 | 31 days | Sh. Bhupinder Singh (Panchkula) | Delay on the part of the RFO- Case sent to RFO on 12.02.21 for site verification but received back on 10.03.21. (Rejected as no one turned up for site verification). | Sh. Sunil Sharma |
| 19 | NAAWYFHYJV | 31 | Sh. Bhupinder Singh (Panchkula) | Delay on the part of the CF- Case sent to CF on 22.02.21 but received back on 17.03.21. | Sh. S. Narayanan, IFS |
| 20 | QBRGWBMKFC | 52 | Sh. Jai Kumar Narwal (Gurugram) | Delay on the part of the RFO- Case sent to RFO on 29.07.20 but report received on 15.09.20 | Sh. Karamvir Malik |
| 21 | KUJ8V4QKJ4 | 38 | Sh. Jai Kumar Narwal (Gurugram) | Delay on the part of the RFO- Case sent to RFO ON 31.07.20 but received back on 26.08.20. | Sh. Karamvir Malik |
| 22 | J63QEWHMK L | 56 | Sh. Jai Kumar Narwal (Gurugram) | Delay on the part of the concerned RFO and on the part of another RFO in sending the application to the right range. Sent to RFO Gurugram on 08.09.20; They sent it to RFO Sohna on 23.09.20 stating wrong range; RFO Sohna sent report on 26.10.20. | RFO Gurugram- Sh. Karamvir Malik RFO Sohna- Sh. Vikram Singh |
| 23 | JJLFTHD081 | 56 | Sh. Jai Kumar Narwal (Gurugram) | Delay on the part of the RFO and dealing assistant leading to delayed rejection. Case sent to RFO Gurugram on 25.08.20 and the further to RFO Sohna on 01.09.20; Report received in DFO office on 07.10.20. Dealing put up the case on 28.10.20. | RFO- Sh. Karamvir Malik Assistant- Ms. Sudesh Kumari |



8. Submissions of replies and presence during the hearing was as follows:

| Sr. No. | Officer Name | Date of Reply | Hearing / attendance |
|---------|--------------------|---------------|---------------------------------|
| 1 | Sh. Sunil Sharma | 14.07.22 | Did not appear |
| 2 | Sh. G.Raman | 18.07.22 | Appeared in person on 22.07.22 |
| 3 | Sh. Karamvir Malik | 21.07.22 | Appeared through VC on 25.07.22 |
| 4 | Sh. Afzal Khan | No reply | Did not appear |
| 5 | Ms. Sudesh Kumari | 21.07.22 | Did not appear |
| 6 | Ms. Vasvi Tyagi | 14.07.22 | Appeared through VC on 25.07.22 |
| 7 | Sh. Rakesh Kumar | 20.07.22 | Did not appear |
| 8 | Sh. Atul Siriskar | 18.07.22 | Appeared in person on 25.07.22 |
| 9 | Sh. Manoj Kumar | 21.07.22 | Did not appear |
| 10 | Sh. Abhey Singh | 20.07.22 | Appeared through VC on 25.07.22 |
| 11 | Sh. S.Narayanan | 21.07.22 | Appeared in person on 25.07.22 |
| 12 | Sh. Vikram Singh | 21.07.22 | Did not appear |

9. The proceedings of all the cases and Commission's orders are listed below:

| Sr. No. | Application no. | Responding Officers | Proceedings | Orders |
|---------|-----------------|---|--|--|
| 1 | WQ3C45T416 | RFO-Sh. Sunil Sharma (Later informed to be Sh. Anil Sheoran vide letter dated 19.07.21) | While the suo moto notice was issued to Sh. Sunil Kumar Sharma based on the report of DFO, Sh. Ram Kumar Jangra, he informed vide letter dated 14.07.22 that the case actually was handled by RFO Sh. Anil Sheoran. A subsequent reply was received from Sh. Anil Sheoran. He informed that the case had been delayed owing to non-availability of the applicant for joint visits required to be carried out to mark trees. He also shared an undertaking from the applicant to this effect. During the hearing, he reiterated this response. | Considering the undertaking from the applicant, this suo moto notice is hereby filed. |
| 2 | MEU29TX5P6 | CCF North-Sh. G. Raman, IFS | Sh. G. Raman, vide his reply dated 18.07.22 informed that while the application had been received by his office on 12.11.20, on observing certain deficiencies in the application (which according to him should have been identified at the DFO level only), he had written back to the DFO, vide letter dated 24.11.20, to seek the same from the applicant. The DFO only acted on the same by 03.12.20 (both his and DFO's letters were enclosed with his reply). It was further stated by him that the DFO eventually rejected the application on 14.12.20, based on his comments dated 24.11.20 but on a subsequent offline application by the same | From the letters shared by Sh.G. Raman, it seems that the DFO did not share complete facts about the case with the Commission. Further clarification will be sought on this matter from Sh. Ram Kumar Jangra before deciding on this case. |

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| | | | applicant dated 18.12.20, the applied for deviation was eventually granted on 29.12.20. During the hearing, when asked as to why the DFO would not share complete facts, he stated that the DFO might have thought that the Commission would not delve deeply into the case. | |
| 3 | JA21PDHWM | CCF North-Sh. G. Raman, IFS | Sh. G. Raman's reply informed that on 22.12.20, he had given permission for deviation of 37 trees only. However, on 25.01.21, his officer received a direct application from the applicant requesting for permission for 73 trees, which he marked to the DFO writing- 'May be considered and allowed'. His reply further stated that the DFO processed the case on the basis of this and should have ideally put up the case to him. He was told during the hearing dated 22.07.22 that his comments seem to convey approval on his side and the DFO not putting up the case again seems understandable. Had he wanted the case to be put up to him again, the same should have been clearly mentioned on the letter. His reply further stated that the DFO eventually issued the permission for deviation of 73 trees on 22.02.21. However, on perusal of the noting and the permission letter enclosed with the response, it was observed by the Commission that while the noting itself was prepared on 22.02.21, the permission has, in fact, been issued on 31.03.21 and surprisingly, mentions that it is valid till 31.03.21 only. | The reply from Sh. G. Raman seems to convey multiple lapses on the part of the then DFO- Sh. Ram Kumar Jangra and also deficient disclosure of facts in his report. This case will be finalized after seeking further clarification from him. |
| 4 | XQ18WUEAW2 | Sh. Karamvir Malik | While the DFO's report had stated that the case under question had been sent to Sh. Karamvir Malik on 02.02.21, Sh. Karamvir Malik's reply dated 21.07.22 informed that he had, in fact, received this case on 16.03.21 and had replied instantly. He stated the same during the hearing. | While there is a discrepancy with respect to the dates provided by the DFO and Sh. Karamvir Malik, in other cases too, it has been observed that similar discrepancies have been there owing to physical |



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| | | | | <p>sending of cases across offices. Giving him the benefit of the doubt, this case is hereby filed. However, Forest Department is advised to ensure that all the correspondence involved in cases happens through the online portal to avoid such delays.</p> |
| 5 | K44JQ494X5 | Sh.Afzal Khan | <p>On telephonically checking, it was informed by Sh. Afzal that he did not receive the suo moto letter of the Commission. The same was subsequently sent to him with directions to reply expeditiously.</p> | <p>Final decision will be taken after reply is received from Sh.Afzal Khan.</p> |
| 6 | R3TUUQCPJ3 | Ms. Sudesh Kumari | <p>Ms. Sudesh Kumari's reply had been forwarded to the Commission by DFO-Gurugram vide their letter dated 21.07.22. In this case, it was stated by her that though a report dated had 22.02.22, the same was endorsement of the guard's report instead of RFO's own report. It was further stated by her that the RFO was contacted multiple times through phone to send the same but it still wasn't sent, which led to delay in putting up the case.</p> | <p>Considering her response and also that the material period of delay overlaps with the onset of second covid wave, the Commission is filing this case. However, Ms. Sudesh Kumari is advised to issue written communications in cases of RFO's deficiency and should not simply depend on calls.</p> |
| 7 | KW1KKTAQ5D | Ms. Sudesh Kumari | <p>Ms. Sudesh Kumari's reply received vide DFO Gurugram's letter dated 21.07.22, while informing the whole workflow of the application did not provide any specific reasons for delays identified on her part. Her reply did, though, mention of Covid second wave response as a reason for delays in general.</p> | <p>Considering that most of the lapses here fell in the period overlapping the covid second wave onset, this case is hereby filed.</p> |
| 8 | JUW73PXG3L | Ms. Sudesh Kumari | <p>Ms. Sudesh Kumari's reply, while informing the whole work flow of the application, stated that the delay between 31.03.21 and 16.04.21 owing to multiple cases being dealt on the same file. She stated that reports in some of the linked cases had to be awaited before being put up.</p> | <p>Considering that the material delay here too fell in the period overlapping the covid second wave onset, this case is hereby filed. However, Ms. Sudesh Kumari is advised that applications</p> |

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| | | | | under the purview of the Haryana Right to Service Act, 2014 should not be kept pending just because other applications have been linked with them. This reasoning will not be acceptable in case any delays on her part are identified in future. She should modify her filing practices accordingly. |
| 9 | J542G7Y8DG | CF-Ms. Vasvi Tyagi RFO-Sh. Karamvir Malik DFO- Sh. R.S. Dhull | <p>Ms. Vasvi Tyagi's reply dated 14.07.22 informed that the case, in fact, had been sent to her office on 22.04.21 and not 01.04.21. She had attached notings of the case as well. However, the notings did not clearly specify the date of the communication but mentioned that the same was received in her office on 22.04.21.</p> <p>Sh. Karamvir Malik's reply dated 21.07.22 also stated that he, in fact, had sent his report on 08.03.21 itself.</p> <p>While Sh. R.S Dhull had, in his earlier replies, had stated that the delay seen on the part of the DFO was accounted by the DFO succeeding him, in response to Commission's query regarding the name of the succeeding DFO, he submitted his own name only vide his letter dated 23.05.22.</p> | <p>Considering the contentious dates provided by all three officers involved and possibility of postal delays, the Commission is giving them benefit of the doubt and filing this case. However, they should note that this lenient stance is only owing to the recent impressive performance of the Department as a whole in resolving applications within RTS timelines. Similar delays in future will be dealt with stricter actions.</p> |
| 10 | NFHYFMTW35 | Ms. Sudesh Kumari | Ms. Sudesh Kumari's reply informed that the complainant had been asked to provide the revenue records telephonically. The same were provided with delay. Subsequently, she stated that the file of the case was lost. | <p>Loosing of a file is a serious matter. Maintenance of proper records is an essential aspect of ensuring effective administration. While owing to a lack of specific clarity as to who should be blamed for the misplacement of this file, the Commission is taking a lenient</p> |



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| | | | | view against her and filing this case. She and all the functionaries of DFO Gurugram office are advised that utmost care should be taken to avoid a similar lapse in future. PCCF may also take note of this and issue necessary advisory. |
| 11 | M6PUX7FM5G | CCF North, Sh. G. Raman, IFS | Sh. G. Raman's reply dated 18.07.22 informed that while he had rejected the case on 13.08.20, the same was put up again by the DFO himself on 20.08.20 and not on his instructions. He based this argument on the fact that the DFO did not refer to any telephonic conversation in his proposal dated 20.08.20. On re-iterating the same during the hearing dated 22.07.22, he was told that mentioning of a telephonic conversation with a superior is probably not what a subordinate officer would do simply out of general precedent. He further stated that his processing of the application on the same being put up on 20.08.20 was not wrong as the restriction till the end of the September was on issuance of permission and not processing. He was told that if that was the case, he should not have rejected it in the first place on 13.08.20. | The Commission is not satisfied with the reasoning provided by Sh. G. Raman. PCCF, Haryana is requested to look into this particular case and provide his comments on the discrepancy highlighted within 15 days of the issuance of these orders. |
| 12 | VY5U2CVPBT | Sh. Rakesh Kumar | In his reply dated 20.07.22, Sh. Rakesh Kumar stated the difference between receipt of RFO report in offline and online mode as the reason for delayed submission. | Considering this and the relatively minor delay on the latter submission, while the case is being filed, PCCF should ensure that this practice of expecting reports in both physical and online form should be stopped in favour of only online process. |

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| 13 | LM4R62LRG5 | Sh. Rakesh Kumar | Sh. Rakesh Kumar's reply dated 20.07.22 stated that the case had been received from the RFO office in DFO office in 02.11.20 and sent to the concerned CF office on 11.11.20, without mentioning specific reasons for the delay. He did, though, mention, generic issues like him being new to the work and still learning the same. | Considering the relative minor delay, the Commission is filing this case with an advisory to Sh. Rakesh Kumar to ensure that at least in putting up of files, there should not be any delay at all. In future, a delay of similar quantum will not be dealt with similar leniency. |
| 14 | G3TTCWEN54 | Sh. Atul Sirsikar, IFS | Sh. Atul Sirsikar, vide his reply dated 18.07.22, informed that the ACS-Forest and Wildlife Department, vide a letter dated 21.02.19, had delegated the power to release upto 50 trees involving demarcation of forest land to a committee headed by the CF and also having two senior most DFOs of the circle as the members. This case fell in this category. However, though the committee approved the case with respect to the releasing of trees, his interpretation was that the committee was only empowered to release the trees and not empowered for allowing deviation/felling. After some to and fro, the PCCF, vide letter dated 17.03.22, has now clarified that the extent of the power of this committee extends to allowing for felling of trees. The case thus was delayed owing to a varying interpretation of orders of the Government. | The delay here seems to have occurred owing to somewhat vague instructions issued earlier, which have now also been clarified by the PCCF. In view of the same, the suo moto notices against Sh. Atul Siraskar and Ms. Niveditha Bojarajan are hereby filed. |
| 15 | WB9BP0T112 | Sh. Manoj Kumar | Sh. Manoj Kumar, vide his letter dated 21.07.22, informs that the delay occurred owing to non-availability of the applicant for the joint inspection to be carried out. | In view of the delay being because of non-availability of the applicant themselves, the suo moto notices against Sh. Manoj Kumar and Sh. Balbir Singh Khokha are hereby filed. Sh. Manoj Kumar is advised though to at least respond to the DFO in case multiple letters are received |



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| | | | | pertaining to a case and keep them in the loop in case of delay on the end of the applicant. |
| 16 | HLAWFG875B | RFO-Sh. Abhay Singh | Sh. Abhey Singh, vide his letter dated 20.07.22, informs that he had sent the report for the case under consideration on 13.10.20 itself. He also further stated that his office was facing some covid related issues in resolving this case under consideration- the area of applicant being a containment zone, thus, affecting the site verification and the staff of DFO's office being engaged in COVID duty. | In view of the assertions of Sh. Abhey Singh, the Commission is filing this case under both the suo moto notices issued to Sh. Abhay Singh and Sh. Sunder Lal with an advisory to ensure timely delivery of services in future and also to build more resilient office practices to tackle unforeseen circumstances. |
| 17 | QHPRTGWW57 | RFO-Sh. Abhay Singh | Sh. Abhey Singh, vide his letter dated 20.07.22, informs that he had sent the report for the case under consideration on 13.10.20 itself. He also further stated that his office was facing some covid related issues in resolving this case under consideration- the area of applicant being a containment zone, thus, affecting the site verification and the staff of DFO's office being engaged in COVID duty. | In view of the assertions of Sh. Abhey Singh, the Commission is filing this case under both the suo moto notices issued to Sh. Abhay Singh and Sh. Sunder Lal with an advisory to ensure timely delivery of services in future and also to build more resilient office practices to tackle unforeseen circumstances. |
| 18 | R87684UY60 | Sh. Sunil Sharma | No reply on this case was received from Sh. Sunil Sharma. On checking telephonically, he informed that he has retired from the service and while the division office had communicated him about the case at sr. no.1 above, requirement of explanation on this case was not informed. He has sought time till 06.10.22 to reply on the case. | Final decision, in this case, will be taken after his reply is received. |

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| 19 | NAAWYFHYJV | Sh. S. Narayanan, IFS | Sh. S. Narayanan, vide his letter dated 21.07.22, informs that the case, in fact, has been received in his office on 15.03.21. He also attached the Office screenshots confirming the same. | In view of the documents presented by Sh. S. Narayanan, the suo moto notice against him is hereby filed. However, clarification will be sought from the DFO now on the misrepresentation of facts. |
| 20 | QBRGWBMKFC | Sh. Karamvir Malik | Sh. Karamvir Malik's reply dated 21.07.22 informs that this case does not pertain to his office, thus contradicting the report from Sh. Jai Kumar dated 19.05.22. | In view of the discrepancy, while the Commission is filing this case at its end, the concerned Second Grievance Redressal Authority may look into the same and take action, if found necessary. |
| 21 | KUJ8V4QKJ4 | Sh. Karamvir Malik | Sh. Karamvir Malik did not provide a report on this case in his report dated 21.07.22. He was told the same during the hearing as well but his subsequent report dated 26.07.22 did not report on this case either. | In view of lack of report on the part of Sh. Karamvir and the prima facie inordinate delay on his part in dealing with the case, exercising powers conferred under Section 17(1)(h) of the Haryana Right to Service Act, 2014, the Commission imposes a token penalty of Rs.1,000 on him. |
| 22 | J63QEWHMK1 | RFO Gurugram- Sh. Karamvir Malik RFO Sohna- Sh. Vikram Singh | No reply has been received from Sh. Karamvir Malik explaining the delay in forwarding the file to the correct range. Sh. Vikram Singh's reply was shared by DFO, Gurugram vide letter dated 21.07.22. It informed that the case under consideration had been delayed owing to non-availability of the user agency for marking of trees and transplanting site. | Sh. Karamvir Malik took 15 days for forwarding the application to the right range. In view of Commission's consideration of upto 30 working days being taken for a case, his delay is being condoned. However, he is advised to be more cognizant in future and should at least read any notice issued to him properly. |



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| | | | | As for Sh. Vikram Singh, considering the delay on the part of the applicant, this case is hereby filed. |
| 23 | JJLFTHD081 | RFO, Sh. Karamvir Malik Assistant- Ms. Sudesh Kumari | Ms. Sudesh Kumari, in her reply sent to the Commission, vide DFO, Gurugram's letter dated 21.07.22, has cited that this case had to be studied in detail owing to some related court proceedings. Like another delayed case, here too, she mentions of delay in putting up owing to other cases being there on the same file. Sh. Karamvir Malik did not provide a report on this case in his report dated 21.07.22. He was told the same during the hearing as well but his subsequent report dated 26.07.22 did not report on this case either. | The case has been put up by Ms. Sudesh Kumari after taking 21 days. The same is inordinate for a service notified with a timeline of 15 working days. In view of the same, exercising powers conferred under Section 17(1)(h) of the Haryana Right to Service Act, 2014, the Commission imposes a token penalty of Rs. 1,000/- on her. In view of lack of report on the part of Sh. Karamvir and the prima facie inordinate delay on his part in dealing with the case, exercising powers conferred under Section 17(1)(h) of the Haryana Right to Service Act, 2014, the Commission imposes a token penalty of Rs. 1,000/- on him. |

10. All the officers/officials on whom penalty has been imposed are directed to deposit the penalty in the State Treasury under the Receipts head 0070-60-800-86-51 and intimate the Commission along with photocopies of the Challan at its email ID- rtsc-hry@gov.in- within 30 days of issuance of these orders. In case this is not done, PCCF is directed to deduct the amount of penalty from their salary of November month to be paid in December. Information about the same be sent to the Commission in due course.

14th October, 2022

