

FIRST APPEAL DETAILS(प्रथम अपील विवरण)

Registration Number (पंजीकरण संख्या) :	FSOID/A/E/24/00032	Date of Receipt (प्राप्ति की तारीख) :	23/06/2024
Type of Receipt (रसीद का प्रकार) :	Online Receipt	Language of Request (अनुरोध की भाषा) :	English
Name (नाम) :	Kumar Kalbande	Gender (लिंग) :	Male
Address (पता) :	C/o Dr B B Kalbande Rathi Lay Out, Katol, Katol Nagpur		
State (राज्य) :	Maharashtra	Country (देश) :	India
Phone Number (फोन नंबर) :	+91-9356009568	Mobile Number (मोबाईल नंबर) :	+91-9356009568
Email-ID (ईमेल-आईडी) :	kumarkalbande@gmail.com		
Status (स्थिति) :	Rural	Educational Status (शैक्षणिक स्थिति) :	Above Graduate
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	Does It Concern Life or Liberty of a person :	Details not provided.
RTI Request Registration No(सूचना का अधिकार अनुरोध पंजीकरण सं.) :	FSOID/R/T/24/00031	RTI Request Registration Date(सूचना का अधिकार अनुरोध पत्र दिनांक) :	16/05/2024
CPIO's Order/Decision No. (सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided	Date of Receipt of CPIO's Order/Decision(सीपीआईओ के आदेश / निर्णय के रसीद की तारीख) :	Details not provided
Ground for Appeal(अपील का आधार) :	Provided Incomplete,Misleading or False Information	Reason for delay(if any) in filing this appeal(इस अपील को दायर करने में विलंब, यदि कोई हो, का कारण) :	N/A
Prayer or Relief Sought(प्रार्थना या अनुरोध की गई राहत) :	Resp FAA the CPIO has provided misleading information. When the representation is marked to Ministry official why does FSI providing the information. This is regular practice which is also mentioned in RTI application. Despite of transferring back the application to relevant office, The CPIO has been repeatedly providing misleading information. Further, due to this continuous activity of CPIO I am burdening with Multiple RTI and further during second appeal CPIO submits misleading information that i filed multiple RTI to their office in order to harass the official. It also delays the process and further waste my valuable time and money. You are requested that if the information is not available with your office and if it is not marked to you, please transferred the application back to CPIO,MOEFCC where it is originally marked. and further stop giving misleading information to in RTI. It is also very important that the RTI is related to C/S under Major Penalty and my Application is marked to my Appellate Authority. By giving misleading information CPIO not only misleading the portal and further obstructing process of C/S which could affect my entire carrier.		

ACTION HISTORY OF RTI FIRST APPEAL No. : FSOID/A/E/24/00032

Applicant Name (आवेदक का नाम)		Kumar Kalbande		
Text of Appeal (अपील का पाठ)		Resp FAA the CPIO has provided misleading information. When the representation is marked to Ministry official why does FSI providing the information. This is regular practice which is also mentioned in RTI application. Despite of transferring back the application to relevant office, The CPIO has been repeatedly providing misleading information. Further, due to this continuous activity of CPIO I am burdening with Multiple RTI and further during second appeal CPIO submits misleading information that i filed multiple RTI to their office in order to harass the official. It also delays the process and further waste my valuable time and money. You are requested that if the information is not available with your office and if it is not marked to you, please transferred the application back to CPIO,MOEFCC where it is originally marked. and further stop giving misleading information to in RTI. It is also very important that the RTI is related to C/S under Major Penalty and my Application is marked to my Appellate Authoirty. By giving misleading information CPIO not only misleading the portal and further obstruting process of C/S which could affect my entire carrier.		
Reply of Appeal (अपील का उत्तर)		sought information has been provided by CPIO under RTI Act, 2005. Appeal disposed off.		
SNo. (क्रमांक)	Action Taken (कार्रवाई की गई)	Date of Action (कार्रवाई की तारीख)	Action Taken By (कार्रवाई के द्वारा लिया)	Remarks (टिप्पणि)

Print

Close

ACTION HISTORY OF RTI REQUEST No.FSOID/R/T/24/00031

Applicant Name Kumar Kalbande

Text of Application To, CPIO, MOEFCC, New Delhi This is 3rd attempt where such important information which is responsible for entire carrier you have transferred it to FSI Dehradun. For RTI MOENF/R/E/24/00354, you have Transferred through RTI No FSOID/R/T/24/00020. You may refer to RTI forwarded by you to FSI on 3rd time through RTI No FSOID/R/T/24/00026 which FSI replied that they do not have information regarding mail. Hence I am again requesting the information to you 4th time for following The requested information holds very much importance in terms of my carrier. Hence filing RTI to you again Please find attachment. Under RTI Act please provide me 1) True copies of further correspondence/action initited on this email 2) True copies of all the related documents including Notesheet (please provide me Notesheet which was denied most of the time) I am ready to pay legal charges

Reply of Application please find attachment for sought information.

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	16/05/2024	Nodal Officer	MOENF/R/E/24/00601
2	REQUEST FORWARDED TO CPIO	17/05/2024	Nodal Officer	Forwarded to CPIO(s) : (1) Sugandha Srivastava
3	REQUEST DISPOSED OF	10/06/2024	Sugandha Srivastava-(CPIO)	

Print



Requesting change of Inquiry Officer for Departmental Inquiries conducted by DG FSI Dehradun And other grivances reg...

1 message

Kumar Kalbande <kumarkalbande@gmail.com>

Tue, 12 Mar, 2024 at 12:09

To: bhopender.yadav@sansad.nic.in, secy-moef@nic.in, nameeta.prasad@gov.in, mefcc@gov.in

Cc: sunandhabhashkarkalbande@gmail.com

To,
Hon'ble Appellate Authority(Hon'ble Bhupendra Yadav Jee)
Hon'ble Minister of MOeFCC
New Delhi

Subject:- Denial of change of I/O officer against OM No 39/40/70-Est-4 dated 9/11/1972 of DOPT through Letter No18-6/224-FE(E-234197) dated 8/3/2024

Reference:-

1. OM No 39/40/70-Est-4 dated 9/11/1972 of DOPT
2. Email dated 2 March 2024

Respected Sir,

Please find the trailing mail. I have requested change of I/O with other grivances through the email. The FE section has communicated me through letter no Letter No 18-6/224-FE(E-234197) dated 8/3/2024 that " You have to address your grivance to disciplinary authority. The role of Appellate authority starts after final.order passed in disciplinary proceedings"

Now, your kind attention is invited to Office Memorandum OM No 39/40/70-Est-4 dated 9/11/1972 of DOPT where at point no 3 it states that" **An inquiry officer should stay the proceedings of the application for review is filled by Delinquents official. It was agreed that, obviously this should be done and attention of the competent authority(Appellate authority) could be drawn to need for staying the proceedings once revive petition was submitted in such cases. "**

The disciplinary authority denied my request to change I/O and I/O was continued the inquiries against the OM No 39/40/70-Est-4 dated 9/11/1972 of DOPT.

The Office Memorandum allows me to submit my request during departmental inquiries and unless decision taken by you, all the hearings should be stayed as per rules.

All three departmental inquiries are under vigilance for following reasons which I have already submitted in my trailing mail.

I am willing to face inquiries in order to prove my innocence. However disciplinary authority is denying me to face inquiries without any salary since 3 years 2 months now. An unauthorisedly absent person can not be present in the inquiries.

I was repeatedly denied disability assistance and my mother who is senior citizen and Disability assistance was harass on the instructions of the Disciplinary Authority. A

representation was submitted to you but no action has been initiated yet.

Please allow me to face enquiries as they all are major penalty inquiries. I am again requesting you following

1. Change biased inquiry officer
2. Allow me face inquiries in interest of natural justice and as per RPWD Act 2016.
3. Inability to attend inquiries since no money as I was not paid from 3 years 2 months

And other action for conducting inquiries in unauthorised manner.

Thanking you

Yours Faithfully

Kumar Kalbande

JTA FSI CZ Nagpur

9356009568

Copy for necessary action to

1. Cabinet Secretary, Cabinet Secretariat, New Delhi
2. Disciplinary Authority cum DG FSI Dehradun
3. Vigilance Commissioner, Central Vigilance Commission, New Delhi
4. CVO, MOEFCC IP Bhavan New Delhi

Annexure 1 Letter No 18-6/224-FE(E-234197) dated 8/3/2024

RTI MATTER/SPEED POST

फा.सं.18-6/2024-एफ ई (ई – 234197)

भारत सरकार/Government of India

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

Ministry of Environment, Forest & Climate Change

(वन स्थापना अनुभाग/Forest Establishment Division)

इंदिरा पर्यावरण भवन,

छठा तल, जल स्कंध, अलीगंज, जोरबाग रोड,

नई दिल्ली

Dated the 8th March, 2024

To

Shri Kumar Kalbande

R.K.K.

Pin:441300, *Maharashtra*

Sub: Application under the provisions of Right to Information Act, 2005.

Sir,

Kindly refer to your RTI No. MOENF/R/E/24/00285 dated 04.03.2024 received on 5.3.2024 from RTI Portal.

Point No.1 - In your representation dated 02.03.2024, you have requested to Appellate Authority i.e. HMoEF&CC to change Inquiry Officer in the disciplinary proceedings going on against him. It is to inform that you have to address your grievance to the Disciplinary Authority. Role of Appellate Authority starts after final order passed in disciplinary proceedings.

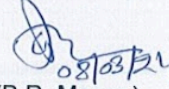
Ponit No.2 – The Order of CIC 19.02.2024 is under active consideration with this Ministry. In due course, the information will be provided within the stipulated time given by CIC in its order.

Point No.3 – Not pertains at this stage.

In case, you are not satisfied with the information provided, you may file an appeal to the following officer within thirty days from the receipt of information, who is first Appellate Authority in the matter:

Shri B.Abhay Bhaskar,
Deputy Inspector General,
Forest Establishment Division,
Ministry of Environment, Forest and Climate Change, Gol,
Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road, New Delhi – 110 003.

Yours faithfully,



(B.R. Meena)

CPIO/Under Secretary to the Government of India

E-mail ID: birbalmeena.69@gov.in

Tel. No.: 011-20819272

NET DELHI-110001, the

9th November, 1972
18 Marga, 1894

OFFICE MEMORANDUM

Subject:-Departmental Inquiries against Government servants - appointment of Inquiring Authority.

...

The undersigned is directed to say that one of the items considered by the National Council set up under the scheme of Joint Consultation and Compulsory Arbitration in its meeting held in September, 1970 was a proposal of the Staff Side that the disciplinary inquiry should, as a rule, be conducted by a person who should be free from all influences, official or otherwise, of the disciplinary authority.. It was further suggested that the rules should be amended suitably so that departmental inquiries are invariably conducted by a person belonging to another department. As a result of subsequent discussions in the National Council, a Committee of the Council was set up to consider the matter in all its aspects. In the Committee the Staff Side urged that it was necessary in a departmental inquiry to ensure that the proceedings were conducted in an objective manner and that the requirement of natural justice would be watered down if the inquiry is held by the disciplinary authority itself or is entrusted to an Inquiry Officer who is subordinate to, or is under the direct influence of the disciplinary authority. According to them departmental inquiries should invariably be entrusted to an independent and impartial body or tribunal and that considerations of the expenditure involved in providing such an independent forum should not be the prime factor in the dispensation of Justice. Alternatively, the Inquiry Officer should invariably belong to a wing/office/department different from the one to which the alleged delinquent employee belongs.

2. As regards the point raised by the Staff Side that the Departmental Inquiry should be entrusted to an independent impartial body or tribunal, it was clarified that inquiries in disciplinary proceedings against gazetted officers of all grades involving lack of integrity or an element of vigilance are alone entrusted to Commissioner for Departmental Inquiries under the Central Vigilance Commission and other cases of disciplinary proceedings involving purely

...2/-

An inquiry officer should stay the proceedings of the application for review is filled by Delinquents official. It was agreed that, obviously this should be done and attention of the competent authority(Appellate authority) could be drawn to need for staying the proceedings once review petition was submitted in such cases.

[Quoted text hidden]

836

ई-मेल/स्पीड पोस्ट

संख्या 13-17/2022-प्रशासन-732

भारत सरकार
भारतीय वन सर्वेक्षण
पो०ऑ०-आई०पी०ई०
कौलागढ़ रोड, देहरादून-248195

दिनांक 27 मार्च 2023

सेवा में,

सचिव, भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
इंदिरा पर्यावरण भवन, छठां तल, जल विंग,
अलीगंज, जारेबाग रोड,
नई दिल्ली - 110003

(ध्यानाकर्षण: श्रीमती आशा एम. नायर, अवर सचिव)

विषय:- Request of Sh. Kumar Kalbande, JTA, FSI, Nagpur dated 9th December 2022 regarding change in Inquiry Officer-reg.

संदर्भ: पत्र संख्या 18-1/2022-एफ.ई. दिनांक 20.02.2023।

महोदया,

उपरोक्त विषय पर संदर्भित पत्र के संबंध में मुझे यह सूचित करने का निदेश हुआ है कि श्री कुमार कालबांडे को इस कार्यालय के पत्र संख्या 13-12/2021-प्रशासन-4031 दिनांक 08.09.2022 (प्रतिलिपि संलग्न) के द्वारा पूर्व में ही सूचित किया जा चुका है।

संलग्न: उपरोक्तनुसार

भवदीया,

(सविता सेमवाल)

सहायक निदेशक (का० एवं प्र०)/
लोक शिकायत अधिकारी

21/3/2023

ई-मेल / 58

संख्या 13-12/2021-प्रशासन - 21031

भारत सरकार
भारतीय वन सर्वेक्षण,
पो0ओ0-आई0पी0ई0,
कौलागढ़ रोड, देहरादून-248195

359

दिनांक 8 सितम्बर, 2022

विषय: Requesting change of Inquiry officer as per CCS Rule- regarding

उपरोक्त विषय पर आपके ई-मेल दिनांक 28.08.2022 के संदर्भ में आपको निम्नलिखित सूचित किया जाता है:-

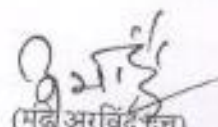
1. Requesting of change of Inquiry officer cannot be considered, as the Inquiry Officer is an officer posted in Regional Office (Southern), Bangalore and holding additional charge of Regional Director, Regional Office (Central), Nagpur.
2. All the documents related to chargesheet were provided to you. Chronology of Chargesheet served and reply received from you is as follows:-

S.No.	Chargesheet	Reply
1.	Regarding Sexual Harassment at workplace, Chargesheet was served to you on 23.11.2021	In this regard reply was received from you on 03.12.2021
2.	Regarding producing fake certificate Chargesheet was served to you on 29.04.2022	In this regard reply was received from you on 20.05.2022
3.	Regarding unauthorized absence Chargesheet was served to you on 19.11.2021, 29.12.2021, 30.04.2022 and your visit to HQ on 27.05.2022	In this regard, you asked about the channel to send reply via email and the reply of email was sent to you on 22.06.2022. No reply of chargesheet was received from you.

Issued
8/9/2022

- 334
358
3. Directions will be issued to Regional Director, Regional Office (Central), Nagpur to ensure safety during enquiry.
 4. Requesting assistant of LGBTQIA friendly person for inquiry cannot be considered.
 5. According to CCS CCA Rule 14 (8) (a) permission to assign legal assistant is not granted.
 6. Requesting videography and audiography of proposed inquiry cannot be considered as no ground have been made out by you.
 7. Directions will be issued to Regional Director, Regional Office (Central), Nagpur to conduct inquiry at disability friendly environment.
 8. All the communications were made to your residential address, to your permanent address and to your e-mail id.
 9. Sh. Mundhe Arvind Dattu, Deputy Director (P&A) is coming on 14.09.2022 to Regional Office (Central), Nagpur. On behalf of Director General, FSI you may put your grievances in front of him either orally or in written.

श्री कुमार कलबंदे,
कनिष्ठ तकनीकी सहायक,
भारतीय वन सर्वेक्षण,
क्षेत्रीय कार्यालय (पूर्वी), कोलकाता


(मुद्दे अरविंद दत्त)
उप निदेशक (एफ.सी.एम.-II)

प्रतिलिपि:

1. वैयक्तिक सहायक, महानिदेशक, भारतीय वन सर्वेक्षण, मुख्यालय, देहरादून को सूचनार्थ
2. क्षेत्रीय निदेशक, क्षेत्रीय कार्यालय (दक्षिणी), बेंगलूर को सूचनार्थ प्रेषित
3. क्षेत्रीय निदेशक, क्षेत्रीय कार्यालय (केन्द्रीय), नागपुर को सूचनार्थ प्रेषित
4. Shri Kumar B. Kalbande, Balaji Apartment, Atray Layout, Pratap Nagar, Nagpur-440022.
5. Shri Kumar B. Kalbande, CPWD Type 4 Qtr 1 Block 66, Opp. to IBM, Civil Lines, Nagpur-440001.
6. Shri Kumar B. Kalbande, S/O Bhaskar Kalbande, Behind Nabira College, Katol Rathi Layout, Katol Nagpur-441302.
7. E-mail- kumarkalbande@gmail.com