

ACTION HISTORY OF RTI REQUEST No.FSOID/R/E/24/00033

Applicant Name Kumar Kalbande

Text of Application

Respected CPIO FSI Dehradun Please find the attachment. In this regards please provide following information. You may consider this information under liberty (life and Liberty) for immediate judicial procedures. 1) True copies of further correspondence initiated for application attached 2) True copies of all the related documents including Notesheet I may ready to pay legal charges. Further, you are requested these is last money I sued for RTI as you are already aware account balance. Please do not charge lot for information. As DG FSI Dehradun has kept me without pay since January 2021 please find attachment for sought information. though, the circumstantial reasons raised by you for invoking life and liberty are not supported by valid medical proof. Therefore, it is once again requested to use the clause (life and liberty) judiciously/carefully.

Reply of Application

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	04/03/2024	Nodal Officer	
2	REQUEST FORWARDED TO CPIO	05/03/2024	Nodal Officer	Forwarded to CPIO(s) : (1) Kamal Pandey
3	REQUEST DISPOSED OF	06/03/2024	Kamal Pandey- (CPIO)	

[Print](#)



Inability to face to inquiries due to no salary from 3 years 2 months.of three Departmental Inquiries. Reporting vigilance about all three major penalty departmental inquiry initiated by you. Requesting you to submit my defence for fake certificate inquiries which was denied by I/O without any verification of medical grounds.

1 message

Kumar Kalbande <kumarkalbande@gmail.com>

Sun, 3 Mar, 2024 at 12:50

To: DG FSI <dgfsi@fsi.nic.in>, dgfindia@nic.in, nameeta.prasad@gov.in, mefcc@gov.in

Cc: Public Grievance <pg-mefcc@gov.in>

Bcc: kumaarkaalbande@gmail.com

To,

Disciplinary Authority Cum Director General,
Forest Survey of India,
Dehradun

Subject :-

1. Inability to face to inquiries due to no salary from 3 years 2 months.of three Departmental Inquiries.
2. Reporting vigilance about all three major penalty departmental inquiry initiated by you.
3. Requesting you to submit my defence for fake certificate inquiries which was denied by I/O without any verification of medical grounds.

Respected Sir,

I, Kumar B Kalbande, working as Junior Technical Assistant in your organisation. It is submitted that I have less than 600 rupees in my account on 2/1/2024. Further, bank asked me to deposit 500 more rupees in order to avoid account from closing.

From 1st January 2023 to 1st January 2024, I have not paid any money to attend departmental inquiries.

Further, it's my humble submission that Medical Bill of Rs 1,17,000 was pending since January 2021 by the office of FSI CZ Nagpur on the name of paucity of funds however total medical bills passed since Covid is more than 57,00,000 rupees.

To continue my treatment, i further requested 3m25% NPS advance money on 2nd March 2021. It was also kept pending by Regional Director FSI CZ Nagpur.

Even to attend ICC Committee in March 2021, i did not have transport allowances and salary.

I have requested money in order to speed post and Xerox documents to submit C/S of unauthorised absence which was again denied by you..

I have requested salary/allowances for attending inquiries but you have refused to suspend me and also refusing to join me to Nagpur and Kolkata office repeatedly.

I could not able to face many departmental proceedings/inquiries due to no money since long time.

Please refer to Annexure 1, Medical Superintendent GMC Nagpur issued letter on false and misleading submission of Inquiry Officer and Presenting Officer.

The following submissions were made

1. There was no medical board constituted for medical condition/medical certificates issued.
2. You have not sent me for disability verification through proper channel
3. Medical certificates attached by me are valid as no medical board constituted
4. The Disability Certificate is verified and issued by Government Medical College, Nagpur

At the outset it is submitted since the claim of PO and IO appears to be miselading and same has been verified by medical officer, it is once again requested to kindly allow me to face the inquiries.

Your Inquriy Officer Shri Venuprasad H, Shri Vrinda and Presenting Officer Shri Mondhe and One more Director is under vigilance through letter no Complaint No 44930/2024 dated 15/2/2024 And Letter No 13-6/2024-Admin-1973 dated 14/2/2024 for following reasons

1. Conducting inquiry of unauthorisedly absent officer
2. Demanding bribe of more than approximately 9.5 lakh rupees
3. Forging my signature on ICC submission and forging SSC form for daily wagger salary
4. Continuing inquiry despite of allegation of bias and does not have faith
5. Making backdated signature on daily order sheet after 2 months and facilities government witness (Annexure 4)
6. Attempting to kill me during departmental inquiries and denying me medical assistance and refusing to take complaint
7. Denying allowances to DA Witness and forcing inquiries online despite refusal to conduct online inquiries
8. Refusing disability assistance to Divyang Official with benchmark disability.

Through FSOID/R/E/23/00109 dated 29/12/2023, I requested my documents which were necessary by for all departmental inquiry but your office submitted that file of one JTA is voluminous and asked me to visit the office. Now, I do not have money to travel to Dehradun. Further, your office does not have Disability Friendly constructions such as Disability Ramp, Disability Toilet, Entrance of your Department is with slope that no wheelchair person can utilise it to climb backwards.

I am humbly submitting that you please allow me to face inquiries. The paucity of fund is not my fault sir. I fighting very hard to attend the inquiries but I/O did not take cognisance of unauthorised absence and no money. And refuse to add this in daily order sheet.

I am unable to face the inquires due to no salary from 3 years 2 months. .

Kindly do not refuse me to join.

Please provide me money to face departmental inquiries initiated by you.

Also allow me to submit my defence statement and pending cross examination for fake certificate Inquiry.

This is for your required concern and necessary action earliest.

Thanking you

Yours Faithfully


Kumar Kalbande

JTA FSI CZ Nagpur


9356009568

Copy for necessary action to

- 1) Appellate Authority Cum Hon'ble Minister of Environment Forest and Climate Change, IP Bhavan, New Delhi
- 2) DGF&SS, MOEFCC IP Bhavan New Delhi
- 3) CVO, MOEFCC IP Bhavan New Delhi



भारत सरकार



शासकीय वैद्यकीय महाविद्यालय व रुग्णालय, नागपूर

Govt. Medical College and Hospital, Nagpur

Website: www.gmchnagpur.gov.in | Email: gmchnagpur@gov.in | Phone: 020-26224444

Ref. No. GMCHN/MS/ 1042 /2024 Dtd. 01/08/2024


To
 ✓ श्री. कमार कलहान्दे
 (TA) (P) (M) (N), Nagpur

Subject: Your grievances regarding

Re: Your letter received on 29/07/2024

With reference to above mentioned subject, your queries are addressed as follows:

No.	Query	Answer
01	Have any verified Medical Certificate issued by C.A.H.S. Officers?	Medical Certificate bearing No. M260/24-1512348, Dated 27/07/2024 and bearing no. M29/24-1779999, Dtd. 27/07/2024 issued by C.A.H.S. MOHPW, Govt. of India in the name of Mr. Kumar Kalhan Kalande is not verified by Medical Superintendent, Class GMCH, Nagpur.
02	Is GMC entitled to do Medical Verification of Central Government Officers?	Medical Verification of Central Government Officers can be done if requested through proper channel.
03	Does your committee any Medical Board for Medical Condition / Verification of said Certificates issued by C.A.H.S. Medical Officers?	Government Medical College & Hospital, Nagpur has not constituted separate Medical Board for verification of Medical Certificates Dtd. 27/07/2024 and 27/07/2024 issued by C.A.H.S. MOHPW, Govt. of India in the name of Mr. Kumar Kalhan Kalande.
04	Provide me letter where you have stated that Disability Certificate issued by GMC	Your Disability Certificate bearing no. MH09061950269436 is framed by Disability Benefit Committee at Government Medical College & Hospital, Nagpur.



Medical Superintendent,
 Government Medical College & Hospital,
 Nagpur



केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION

Complaint Number: 44916/2024 /
Date: 13-02-2024

19.5.24

To,
HUMAR KALRANDE
CPWD TYPE 8, QTR 1, BLOCK 66
CIVIL LINES
NAGPUR
MAHARASHTRA

Sir/Madam,

Subject: Your Complaint No. 44916/2024 dated 27-12-2023 registered in the Commission-encg.

Kindly refer to the above:

2. Keeping in view the nature of allegations/lapses made in the complaint, your complaint has been forwarded to CVC, MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE for necessary action. As per the Complaint Handling Policy, the Commission expects the CVCs to scrutinize the complaints sent for necessary action by the Commission and decide action on such complaint.

3. Please keep the complaint number confidential and do not disclose it to any other person.

4. Please visit <http://portal.cvc.gov.in> for further status update.

Yours sincerely,

Babu Narayan
Section Officer

Central Vigilance Commission

No. 13-8/2024-Admin - 1973
Forest Survey of India
Ministry of Environment, Forest & Climate Change
Govt. of India
Kaulagarh Road, PO - IPE
Dehradun - 248155



Date: 14th February 2024

To,

Sh. Kumar Kalande
Ex CPWD, Type A, Qtr 1,
Block 5A, Civil Lines,
Nagpur, Ph-441002,
Maharashtra-441002

Sub: Letter received from vigilance division MoEF & CC - reg.

This office is in receipt of a letter dated 23/01/2024 from Vigilance Division, Ministry of Environment Forest and Climate Change, India, Paryavaran Bhawan, Jor Bagh Road, Alipur, New Delhi-110003, regarding a complaint received from your end alleging extortion of money and bribe at Forest Survey of India. In this regard an online Video Conferencing (VC) has been scheduled on 22/02/2024 at 11:00 AM through virtual mode to examine the matter. You are required to be present in the enquiry meeting (oid through video conferencing) and bring with you the necessary documents in support of your complaint on the subject matter.

The meeting can be joined through the following link:-

Online Enquiry

Hosted by Forest Survey of India

<https://iddehradun.webevents.com/secure/attendee.php?MTD=new107c0300645115eadd44c20c70e050>
Thursday, February 22, 2024 11:00 AM (1 hour) (UTC+05:30) Chennai, Kolkata, Mumbai, New Delhi
Meeting number: 2521 318 6286
Password: 22022024 (20202024 from video systems)

Agency: Online Enquiry

Join by video system

Or 25213186286@dehradun.webevents.com

You can also dial 219 4 300 8 and enter your meeting number

Join by phone

+91-9733-9443 Singapore Toll

Access code: 252 131 6286

(Dr. Sunil Chandra)
Deputy Director (FOD) &
Vigilance Officer, FSI, Dehradun

Copy to:-

- Ms. Sushang J, Under Secretary, Vigilance Division in response to MoEF & CC, New Delhi letter dated 31st January, 2024 on the above subject

(Dr. Sunil Chandra)
Deputy Director (FOD) &
Vigilance Officer, FSI, Dehradun

To,

Central Vigilance Officer/Concerned Authority,
Central Vigilance Commission,
New Delhi

Through proper channel (Ministry of Environment Forest and Climate Change)

Subject :- Reporting extortion of money and bribe of money at Forest Survey of India, MOEFCC, reg...

Respected Sir,

I, Kumar Kalbande, Divyang (50 % Locomotor Disabled) is working as Junior Technical Assistant at Forest Survey of India, Ministry of Environment Forest and Climate Change, Nagpur since 13 years.

Please find the newspaper articles in Annexure 1. I have been going through extreme atrocities since long time now.

Its been 35 months, I have been kept without salary and allowances by Disciplinary Authority. Being Divyang, I was transferred to Kolkata and the officers are not allowing me to join Kolkata too.

However, I was repeatedly denied disability assistance and the office of FSI Kolkata is on 2 and 3rd floor and lift is closed since 2019.

On other hand, when I filed complaint with Ministry, the inquiry initiated but its in vein.

On other hand, I was given following chargesheet

- 1) Sexual Harassment of Women at Workplace - September 2021
- 2) Fake Experience Certificate- May 2022
- 3) Unauthorised Absence- October 2021

None of the chargesheet has been concluded till date. (28 Months)

Now I would like to bring your kind attention to RTI no FSOID/R/E/23/00096/1 dated 14/11/2023.

Where the attendance since 29th July 2021 was requested

Whereas, FSI, Dehradun has given reply that "Unauthorised absent as information of attendance is not available"

Whereas, FSI, CZ, Nagpur through Letter No E-417-06/826 dated 6/11/2023(Annexure 2) stated that I am unauthorisedly absent since 4th December 2020.

On other hand, I am regularly visiting office for departmental inquires on various dates (Annexure 3)

Director, Forest Survey of India, CZ Nagpur during inquiry told me that your unauthorised absence, all the salary, medical claims will be given and inquiries will be closed if I pay him half of the amount (Which is nearly 9.5 lakhs calculated by them)

He further mentioned that understand this he is close to DG, FSI, Dehradun and only on his recommendation my allowances are denied though you are present in the inquiries.

That is only reason DG refused to change inquiry officer despite of raising objection as bias.

Your kind attention is invited to following facts

- 1) As per Letter No E-417-06/826 dated 6/11/2023, I am unauthorisedly absent from office since 4th December 2020, Yet ICC has conducted inquiry in my absence and submitted report by forging my signature. A representation was made against Shri Verghesse but no action has taken place. my office select people who are getting retired for the inquiries.
- 2) RTI no FSOID/R/E/23/00096/1 dated 14/11/2023 also states that I am unauthorisedly absent even before transfer order.
- 3) Absent official can not be part of departmental inquires, yet FSI conducting inquires during unauthorised absence.
- 4) Presenting officer is dictating inquiry officer to make daily order sheet.
- 5) When I refused to conduct to pay bribe, The sexual harassment at workplace inquiry was started after 27 months of issuing chargesheet. Till 27 months; not a single inquiry has been conducted.
- 6) Despite of reporting biasness and do not have faith on I/o the inquires are continued

Whereas as per OM DoPT OM No. DOPT-1667566576557 dated 04.11.2022 **INQUIRY UNDER CCS (CCA) RULES, 1965**
[SECOND STAGE]

• **Dual Role**

Ø In the light of the Proviso to the Rule 14 (2) mentioned above, the Complaints Committee would normally be involved at two stages. The first stage is investigation already discussed in the preceding para. The second stage is when they act as Inquiring Authority. It is necessary that the two roles are clearly understood and the inquiry is conducted as far as practicable as per Rule 14 of CCS (CCA) Rules, 1965. Failure

to observe the procedure may result in the inquiry getting vitiated.

⊙ As the Complaints Committees also act as Inquiring Authority in terms of Rule 14(2) mentioned above, care has to be taken that at the investigation stage that impartiality is maintained. Any failure on this account may invite allegations of bias when conducting the inquiry and may result in the inquiry getting vitiated. As per the instructions, when allegations of bias are received against an Inquiring Authority, such Inquiring Authority is required to stay the inquiry till the Disciplinary Authority takes a decision on the allegations of bias. Further, if allegations of bias are established against one member of the Committee on this basis, that Committee may not be allowed to conduct the inquiry.

I am completely traumatised. Please refer to attachments of Newspaper. I am not willing to pay any bribe to the any officer and hence I am reporting this in Vigilance Cell. Kindly take strict action against the official for conducting unauthorised inquiries, wasting government expenditure to molest and demanding bribe to me. I have already been beaten and threatened by office peons so I will give the name of the official separately in confidential mode.

Thanking you

Yours Faithfully

Kumar Kalbande

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The following Officers were present:

- (1) Shri H. Venkatesh, I.P.S. Inquiry Officer
- (2) Shri Chhatrajna Dehura, I.P.S. R.D. C.Z. Nagpur/Government Witness No.2
- (3) Shri Munde Arvind Dattat. I.P.S. Dy. Director-cum- Presenting Officer
- (4) Shri Kumar Kalhanale, Charged Officer
- (5) Shri V.M. Deshmukh, Defence Assistant

The cross-examination of Government witness No.2 (Regional Director, C.Z. Nagpur) was continued on 12.11.2023 at 11.55hrs in connection with the Charge Sheet issued vide Memorandum of charges No. 58/2021-Admn-2192 dated 29.04.2022 of the Dy. DC, P.S. Dehura. The Charged Officer submitted Defence documents D-6 to D-16 and completed examining of documents till D-8.

 (Kumar Kalhanale) Charged Officer 22/11/2023	 (Munde Arvind Dattat) Presenting Officer	 (Chhatrajna Dehura) R.D. C.Z. Nagpur Government Witness No.2	 (H. Venkatesh) Inquiry Officer
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This is my humble explanation as SW2 was disturbed on the day of inquiry, the said object is left the inquiry in middle when I was asking questions on 21st November 2023 and was not present for 2nd November 2023 hence I have already submitted you my representation.


Kumar Kalhanale
C.O.
22/12/2023



 GPS Map Camera

Nagpur, Maharashtra, India

cgo complex, 5373+V3V, near punjab bank,
Gittikhadan, Nagpur, Maharashtra 440006, India

Lat 21.164768°

Long 79.052706°

25/05/23 11:13 AM GMT +05:30





ReplyDocument - ...



3. Registration No. FSI/01/198/2020/126 दिनांक 26.12.2020

Ans: सापेक्षता की प्रस्तावना के अन्तर्गत वर्ष 2020 से 2023 तक की सूचनाएं संशोधित हैं जो कि बहुत विस्तृत हैं। इस संबंध में सुनिश्चित करना है कि सापेक्षता उच्च कार्यालय को दी जा सके अपने प्राप्ति परस्पर प्राप्त कर सकते हैं।

भवदीय,

(सुधीर कुमार)

सहायक निदेशक (कां एवं प्रशां)



----- Forwarded message -----

From: **Kumar Kalbande** <kumarkalbande@gmail.com>

Date: Mon, 26 Feb, 2024, 03:20

Subject: Confidential

To: DG FSI <dgfsi@fsi.nic.in>

Cc: <dgfindia@nic.in>, <fsiadm.1@gmail.com>, <tanmay.kumar-rj@gov.in>, <sakesh.singh69@nic.in>, <nameeta.prasad@gov.in>

Confidential & Urgent

To,
Director General(Disiplinary

Forest Survey of India,
Dehradun

Through Proper Channel

Respected Authority,

Applicant most respectfully submits that the applicant is employee of Forest Survey of India, CZ, Nagpur joined as Dy Ranger on May 2009. The applicant further got promoted as JTA and got posted at FSI CZ Nagpur on August 2017

Applicant is most humbly and respectfully submit that through Letter 13-6/2024-Admin-1973 dated 14/02/2024, your inquiry office Shri Venuprasad H, Sr Dy Director Shri Arvind Mondhe DD P&A. Shri Vrinda Supretendent and One more Director are under the inquiry of vigilance for conducting following departmental inquiries

1. Sexual Harassment of Women by Gay Central Government Official at Workplace – September 2021
2. Fake Experience Certificate- May 2022
3. Unauthorised Absence- Ocotober 2021

on unauthorisedly absent central government employee ie appellant despite of the objection raised and exporting money and bribe of more than 9.5 lacks(approximately)

Please refer to Letter No 44930/2024 dated 15/2/2024-19334, Inquiry is progress under Central Vigilance Commision too.

The applicant most humbly and respectfully submitted that applicant has requested to Shri Sunil Chandra, Deputy Director cum Vigilance Officer regarding the inquiring unauthorisedly absent person and He further stated that he will communicate the same to Administration of FSI, Dehradun. Further, I am submitting the documents through offline inquiry of vigilance.

Applicant further humbly submits that Despite, the confidential information was leaked and Inquiry Officer(Shri Venuprasad S) instead making corrigendum of absent employee who was on medical leave through CGHS Authorised Empanelled Hospital was declared absent and closed the Inquiry. Further it is mentioned that you requested medical verification of my leaves. It is submitted that I have not received any order of medical verification by you from my current employer through proper channel at my residential address. So. The claimed of Shri Venuprasad appears to be misleading.

The applicant has already communicated that and submitted that I am along with my DA and witness are not comfortable with online inquiries since online inquiries are not comfortable and reliable for us.

So it is my most humble submission vigilance complaint is pending and your office does not allow me to join my office, i do not have money to attend the inquires. **Please refer to Annexure 9, I only have 600 rupees on 1/1/2024 which is also gone.**

The applicant humbly and respectfully submit the following that

For Sexual Harasment Of Women at Workplace by Gay Individual

:- Please refer to Letter No File No 7-7/2021/Admin(Part)-1253 dated

12/12/2023(Annexure 4) whereas DG FSI Dehradun have requested to expedite the Inquiry to Inquiry Officer Smt Vrinda and gave extension through rule no Rule 14(24)(b) of CCS(CCA). Please refer to Annexure 5, The details of Rule 14(24)(a) and b are as follows

1. Rule 14-24(a) of CCS(CCA) Rules 1965, The inquiring authority should conclude the inquiry and submit his report within period of six months since the receipt of his appointment order as Inquiry Officer.
2. Rule 14-24(b) of CCS(CCA) Rules 1965 Where it is not possible to adhere the time limit specified in clause a, The inquiry authority may records his reasons and seek extension of time from disciplinary authority in writing, who may allow an additional time not exceeding six months from completion of inquiry, at a time

I apelant most humbly submits that as per rules I/O sought extension of Inquiry after 18 months since I/O was appointed. Further, I/O has denied my right to defence assistance as my Defance Assistance is LGBT Individual which is Discrimination against Article 21 of Indian Constitution.

Applicant beg to state on the following

Conducting Inquiry of Unauthorisedly Absent Central Government Employee :- The matter regarding joining is subjudice because former Regional Director denied me to join at Kolkatta Office and After Disbaility , the Kolkatta Office is not compitable for Divyang Person with Benchmark Disability. Till this date, I have not received Reliving order, NOC by handing over charge of Store Library and Forest Cover Mapping. Further, Former Regional Director FSI Nagpur has tresspassed me in my own office whereas the my personal file has missing from Office. Please refer to Missing Reports of Gittikhadan Police Station.

The applicant most humbly submits that The matter is also subjudice with Hon'ble Chief Commissioner for Person with Disbalities CCPD New Delhi and for the same they have issued you notice on 29 January 2024 for Legal Framework of Divyang Employee for Posting Retention Transfer with time period of 1 month. Please refer to Annexure 10.

The applicant most respectfully and humbly submits that the Hon'ble Disbaility Court of CCPD has also taken on records of delayed inquiries by FSI Dehradun. Please refer to Annexure 12.

Further, the applicant also begs to state ththat Hon'ble Court of Disabilities Directed to FSI Dehradun to know about whereabouts and asked to submit the letter about asking the applicant to join his duties as per guideline laid down by DOPT for SOP of unauthorisedly absent. **Till this date, the office of DG FSI Dehradun has not submitted the said letter which is mendate for declaring employee unauthorisedly absent.**

Applicant most humbly and respectfully submits that the Standard Operating Procedure for Unauthorised / Wilful Absence with Office Memorandum Rule 25 of CCS (Leave) Rule, 1972 of OM.13026/3/2010-Esstt (Leave) dated 22.06.2010 of DoPT & OM No. 1/17/2011-P&PW(E) dated 25.06.2013 by Ministry of Personnel, PG & Pensions are as follows

- a. As per SOP mentioned in above OM, No central Government Employee is entitled to unauthorisedly absent for more than 10 days.
- b. Following which, OM is issued to join the duties within 5 days and If he failed to reply two office memorandums, The matter will immediately reported to Police.
- c. If the government servant's whereabouts reported through sources or by Police but he does not turn up for joining even after two OM's/ Police action/information then Disciplinary Authority may " A Show Cause Notice to be served to the concerned government servant asking him to join duty within a stipulated period failing which he may be suspended and disciplinary action as deem fit would be initiated as per CCS (CCA) Rules 1965, after serving a Charge Sheet by Disciplinary Authority (DA). If the government servant does not respond to the Charge Sheet within the given time, then the disciplinary action would be conducted in absentia."

Applicant humbly and most respectfully begs to state that It is crystal clear that in order to appear for the inquires for unauthorised absence/ not joining, the applicant supposed to be suspended to be proceed the inquiries. Your kind attention is invited to Please Annexure 8 which is" in case of Ghanshyam Das Shrivastva vs Madhya Pradesh(AIR 1973 SC 1183) , Where the government servant shows that pleaded his inability to attend the inquiries on account of financial stringency caused by non payment of subsistence allowances to him, the proceeding conducted would be in violation of the provisions of Article of the constitution as the concerned person did not receive a reasonable opportunity if defending himself in the disciplinary proceedings."

The applicant most humbly submits that Through FSOID/R/E/23/00096/1 dated 14/11/2023, FSI stated that there is no record of Kumar Kalbande JTA attendance. Whereas Through Letter No E-426-2009(Vol-III)/389 dated 27/7/2023, FSI stated that I am present in inquires. These two submission are contradictory.

Again applicant most respectfully submits that despite DG FSI Dehradun has issued letter No 13-12/2021-Admin-1449 dated 27/8/2021 to Former RD FSI Nagpur to issue the salary on 27th August 2021. Applicant most humbly submits that DG FSI Dehradun which my competent authority to stop the salary has issued letter No Letter No 7-4/2010-Admin-460 dated 26/2/2021,ordered to release the salary.

It is most humbly submitted that in the Direction of DG FSI Dehradun the applicant has requested salary, time and again and further lastest the applicant has applied for salary as 15 EL 10 HPL and 7 Casual Leave credited on 1st July 2021 along with increment. But RD FSI CZ Nagpur did not issued any salary till date.

The applicant further would like to bring your attention to fact that Law is well settled that where an employee is willing to work but is prevented by the employer to do so unlawfully, he cannot be blamed much less denied his legitimate benefits suchas salary etc. by invoking the principle of no work no pay. Law is well settled that the principle of 'no workno pay' is not absolute as was held by the Apex Court in following cases

- 1)W.P.(C) No.8092 OF 2016 Partha Dash vs State of Orrisa,
- 2) Commissioner, Karnataka Housing Board vrs. C. Muddaiah; reported in (2007) 7 SCC 689
- 3) Union Territory of Dadra & Nagar Haveli V. Gulabhia M. Lad; reported in (2010) 5 SCC 775.

Applicant most humbly submits that the post of JTA which has been transferred to FSI EZ Kolkatta respondent no 2 has been occupied by another JTA as the current JTA post are zero in the Kolkatta Office as per RTI Records. DG,FSI,Dehradun has already given posting on my place to another JTA on his personal request of transfer. Through RTI NO FSOID/R/E/00086/1 dated 21/9/2023, it is pertinent that all 2 post of JTA are occupied in Kolkatta. Vacant strength available at Nagpur 23. Please refer Annexure 14.

It is most humbly and respectfully submitted that the applicant has never denied his transfer order as well as field duties. The applicant went to obey transfer order after first reliving from field of Ujjain Shiva and but applicant was denied to proceed immediately to office of Kolkatta after Interim Relief of Applicant was rejected due to misleading submission on affidavit by Respondent No 3 as per information received through RTI.

Applicant most humbly submits that he was astonished and was in deep agony that without authority, Formar RD FSI CZ Nagpur has stopped the salary without even intimation or approval of appointing authority.

The applicant most humbly and respectfully submits that the applicant Divyang with Benchmark Locomotor Disability (50%). Further, applicant submits that Government Medical College, Nagpur (the certificate issuing authority) has already approved that certificate is issued by them to DG FSI Dehradun. For further verification of Disability of employee, the Director General **FSI Dehradun may refer this case to Chief Civil Surgeon of Nagpur District. But Applicant has not received any letter of verification though proper channel and was not paid allowances even after showing readiness of verification of disability.** Please refer to Annexure 15 Disability Certificate.

It is most respectfully and humbly submitted that Director General FSI Dehradun has also requested medical board to Hon'ble Chief Commissioner for Person with disabilities New Delhi, However Hon'ble Chief Commissioner first asked about whereabouts about applicants joining and ordered to submit the same but DG FSI Dehradun could not submit the same till date and further Notice of CCPD for Case No 13545/1022/2023 dated 29/1/2024 is pending with DG FSI Dehradun for implementation.

Now, Hon'ble Information Commissioner through CIC CIC/MOENF/A/2023/608903 dated 7th February 2024 has given direction to take action on Office Memorandum OM No 43011/45/2022-Estt(Res-III) dated 8th December 2022 Issued By DOPT to Secretary MOEFCC issued on my name due to Locomotor Disability which entitled Applicant for posting near to his hometown. Please refer to Annexure 12 & 13.

Further, Applicant most humbly and respectfully would like to bring your kind attention to Office Memorandum issued by DOPT and CVC ie CVC/No 000 VGL-18-469044 dated 14/12/2020 & OM F No 1101e/09/2016-Estt-A-III dated 8/12/2017 which states as follows

CVC ie CVC/No 000 VGL-18-469044 dated 14/12/2020 states that

1 Issue of C/S to the stage of appointment of IO & PO- All the required action may be completed within period of 2 months

2 Conducting departmental inquiry and submissions of report by I/O :- Within 6 months since date of appointment of I/O

3 Overall Additional Time for All/Any above stages of Disiplinary :- Inaction to 6 months 1 more month may be taken if required

Further OM F No 1101e/09/2016-Estt-A-III dated 8/12/2017 states as follows

Time limit for completing the inquiry and submit report by

Inquiring Authority :- In terms of notification No G.S.R. 548 (E) dated 02.06.2017, the Inquiring Authority should conclude the inquiry and submit his report within 6 months from the date of receipt of order of his appointment. An additional time not exceeding six months for completing the inquiry can be allowed at a time on the basis of sufficient and good reasons, to be recorded in writing by Disciplinary Authority [Sub rule (24) in Rule 14 of CCS (CCA) Rules, 19651.

1. Sexual Harassment of Women by Gay Central Government Official at Workplace – September 2021 - - 30 Months Since C/S and 20 months since I/O appointed (May 2022)
2. Fake Experience Certificate- May 2022 and 22 Months Since I/O appointed
3. Unauthorised Absence- 29 Months Since C/S issued ie October 2021 22 months Since I/O appointed whereas I/Onappointed is also witness in Inquiry because he was DDO.

Further, Applicant most humbly and respectfully submits that Inquiry has already been conducted by Deputy Director General, IRO MOEFCC Nagpur and reports were already communicated to Hon'ble DGF&SS, MOEFCC IP Bhavan New on Letter No F No Misc-111/RON/2011-NGP/8832 dated 28/10/2021. Whereas, The Preliminary Inquiry reports are not closed and applicant were again forced to suffer from all these inquiries which comes at later stage. Please refer to Annexure 17 & 18. Action Taken Reports on said reports is pending from 2.3 years.

Applicant humbly submit that However, I have regularly attended inquiry for past one 1 year without any allowances. Due acute financial situation and on the recommendation of DG FSI Dehradun without any authoriised reliving I tried to join the place which was denied to me as the office is not as per provisions of RPWD Act. I have attempted to join in May 2023 and August 2021 but.

It is most humbly submitted that current balance in my salaried account is less than 500 rupees which was caused by Former Regional Director FSI CZ Nagpur as He has kept pending medical bills of 1.5 lakhs rupees on the name of paucity of funds(whereas 54 Lakhs rupees medical bills distributed since covid 19) and denied 25% NPS Advance since 3 Years ie 2nd March 2021.

Applicant Most Humbly Submits that The applicant is differently abled with 50% Locomotor disability and struggling very hard due such acute financial situation created by your office Further, the applicant has been demanded money/bribe for making him present in office and in order to close departmental inquiries which have crossed timeline and not as per Rules laid down by DOPT. The Vigilance inquiry has already been initiated and pending with your office.

It is also requested that Action Taken Report on the following prayers may immediately communicated due to severity of issue so that applicant approach Hon'ble Appellant Authority then court and Commisions.

Prayers:-

1. Kindly allow applicant to face the Inquiry judiciously rightfully and in the interest of natural justice as the applicant was declared absent though he is regularly present in Departmental Inquiries
2. Grant applicant stay on the all 3 Inquiries till the completion of Vigilance Complaint initiated by Ministry of Environment Forest and Climate Change as Both Inquiry Officer and Presenting office including Director is part of that vigilance complaint.
3. Pay the salary along with double transport allowances (for Divyang) to applicant as applicant is regularly attending inquiries whereas SOP of Unauthorised Absence is not followed by Regional Director for making applicant unauthorisedly absent as rules laid down by DOPT and FR Rules.
4. Any other relief Hon'ble pleased to give/dim fit

Thanking you

Yours Faithfully

Kumar Kalbande

JTA FSI CZ Nagpur

9356009568

Copy for necessary action to

1. Hon'ble Chief Commissioner for Person with disabilities, New Delhi
2. Hon'ble Dr Muley, Member, NHRC, New Delhi
3. Hon'ble Chairperson, NCBC, New Delhi
4. Hon'ble Secretary, CIC, New Delhi
5. Additional Secretary, MOEFCC, IP Bhavan, New Delhi
6. Joint Secretary, Central Vigilance Officer, MOEFCC, New Delhi
7. DGF&SS, MOEFCC IP Bhavan New Delhi
- 8.

No. 13-5/2024-Admin-1073
Forest Survey of India
Ministry of Environment, Forest & Climate Change
Govt. of India
Kautagah Road, PO - IRE
Dehradun - 248195



Date: 14th February 2024

To:

Sh. Kumar Kalberde
Ex CPWD, Type 4, Ot-1,
Block 06, Civil Lines,
Nagpur, Pin-441302,
Maharashtra-441302

Sub: Letter received from vigilance division MoEF & CC - req.

This office is in receipt of a letter dated 23/01/2024 from Vigilance Division, Ministry of Environment Forest and Climate Change, India Parivahan Bhawan, Jit Bagh Road, Airport, New Delhi-110002, regarding a complaint received from your end alleging extortion of money and bribe at Forest survey of India. In this regard an online Video Conferencing (VC) has been scheduled on 22/02/2024 at 11:00 AM through virtual mode to examine the matter. You are required to be present in the enquiry meeting hold through video conferencing and bring with you the necessary documents in support of your complaint on the subject matter.

The meeting can be joined through the following link:-

Online Enquiry

Hosted by Forest Survey of India

<https://midehradun.webex.com/midehradun/joinMTD-me107c000e45115e4a0c44020a79a039>
Thursday, February 22, 2024 11:00 AM (3 hours) (UTC+05:30) Chennai, Kolkata, Mumbai, New Delhi
Meeting number: 2521 316 8286
Password: 20022024 02022004 from video systems)

Agenda: Online Enquiry

Join by video system

Use 2521 316 8286@midehradun.webex.com

You can also dial 211 4 302 4 and enter your meeting number.

Join by phone

+91 011 234949 Singapore Toll

Access code: 252 131 8286

(Dr. Sunit Chandan)
Deputy Director (FOD) &
Vigilance Officer, FSI, Dehradun

Copy to:-

- Mr. Gubhang J, Under Secretary, Vigilance Division in response to MoEF & CC, New Delhi letter dated 31st January, 2024 on the above subject.

(Dr. Sunit Chandan)
Deputy Director (FOD) &
Vigilance Officer, FSI, Dehradun

Annexure 2 DOPAT/E/2023/0015385 dated 27/12/2023

**Details for registration number :
DOPAT/E/2023/0015385**

Name Of Complainant	Kumar Kalbade
Date of Receipt	22/12/2023
Received By Ministry/Department	Personnel and Training
Grievance Description	
Personnel and Training => Allegation of corruption / misconduct => Against Central Government officials	
Documentary Evidence to support the allegation : Not Provided	
Please find the documentary proof attached. Details of application is in attachment. Please take further necessary action at earliest.	
Current Status	Case closed
Date of Action	20/02/2024
Remarks	
Branch concerned has informed that the grievance has been sent to CVO, Ministry of Environment, Forest and Climate Change for necessary action. A copy of letter dated 15.02.2024 is attached.	
Rating	5
Appeal Details	
Appeal Number	
Date of Receipt	
Appeal Text	
Current Status	
Officer Concerns To	
Officer Name	Shri Prashant Kumar Singh (Officer on Special Duty)
Organisation name	Central Vigilance Commission
Contact Address	Satarkita Bhavan, G.P.O. Complex, Block-A, INA, New Delhi -110023
Email Address	prashantkumar@cvc.in
Contact Number	01124651341
 	

Annexure 3 Letter No 44930/2024 dated 15/2/2024-19334.



केन्द्रीय सतर्कता आयोग

CENTRAL VIGILANCE COMMISSION

Complaint Number: 44938/2024 /
Date: 15-02-2024

19334

To,
KUMAR KALBANDI
CPWD TYPE 4, QTR 'L' BLOCK 48
CIVIL LINES
MADHUR
MUMBAI/MH/CPWA

Sir/Madam,

Subject: Your Complaint 44938/2024 dated 17-12-2023 registered in the Commission-egp.

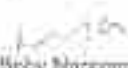
Kindly refer to the above

2. Keeping in view the nature of allegations/inputs made in the complaint, your complaint has been forwarded to CVO, MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE for necessary action. As per the Complaint Handling Policy, the Commission expects the CVOs to scrutinize the complaints and for necessary action by the Commission and decide action on such complaint.

3. Please keep the complaint number confidential and do not disclose it to any other person.

4. Please visit <https://portal.cvc.gov.in> for further status update.

Yours sincerely,


Jyoti Bhargava
Section Officer
Central Vigilance Commission

सतर्कता आयोग, पी. वी. सी. कॉम्प्लेक्स, बार्क - 4, नई दिल्ली, नई दिल्ली - 110023
Sararka Bhawan, C.P.O. Complex, Block - A, W-4, New Delhi - 110023

Annexure 4 File No 7-7/2021/Admin(Part)-1253 dated 12/12/2023 Rule 14(24)(b) of CCS(CCA)

CONFIDENTIAL

E-Mail/Speed Post

File No. F-172021-Admin(Org)-19-53
Government of India
Ministry of Environment, Forest & Climate Change
Forest Survey of India
P.O. (P.E.), Kasbagah Road
Dehradun-244101

Date: 11 December 2023
12.

Subject: Sexual Harassment at Workplace- rep.

Appointing and Disciplinary authority is hereby extend the inquiry period till 31.03.2024 as per Rule 14 (24) (b) of CCS (CCA) Rules, 1985. The Inquiry Officer is also directed to expedite the inquiry process and submit the inquiry report at the earliest.


Anoop Singh

Director General
Appointing & Disciplinary Authority

To,

Sh. S. Hinda,
Chairperson cum Inquiry Officer,
Internal Complaint Committee
Regional Office (Southern),
Bangalore

Forwarded
11/12/2023

EXPLANATION- If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original articles of the charge, it may record its findings on such article of charge:

Provided that the findings on such article of charge shall not be recorded unless the Government servant has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(ii) The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include :-

- (a) the report prepared by it under clause (i);
- (b) the written statement of defence, if any, submitted by the Government servant;
- (c) the oral and documentary evidence produced in the course of the inquiry;
- (d) written briefs, if any, filed by the Presenting Officer or the Government servant or both during the course of the inquiry; and
- (e) the orders, if any, made by the disciplinary authority and the inquiring authority in regard to the inquiry.

24 (a) The Inquiring Authority should conclude the inquiry and submit his report within a period of six months from the date of receipt of order of his appointment as Inquiring Authority.

(b) Where it is not possible to adhere to the time limit specified in clause (a), the Inquiring Authority may record the reasons and seek extension of time from the disciplinary authority in writing, who may allow an additional time not exceeding six months for completion of the Inquiry, at a time.

(c) The extension for a period not exceeding six months at a time may be allowed for any good and sufficient reasons to be recorded in writing by the Disciplinary Authority or any other Authority authorised by the Disciplinary Authority on his behalf.

Teleglyphic Address :
SATARXIN, New Delhi

E-Mail Address :
cvc@vigilance.in

Website :
www.cvc.in

EPABX :
011-26082000

Phone / Fax :
011-26031100



केन्द्रीय सतर्कता आयोग
CENTRAL VIGILANCE COMMISSION



सचिवालय, केन्द्रीय सतर्कता आयोग,
एड-ए, आईएचए, नई दिल्ली-110021
Sector Bhawan, C.V.C. Complex,
Block A, 2nd, New Delhi-110021

प./सं. No. 000-VGL-15 - 15/12/20

दिनांक / dated 15.12.2020

Circular No.15/12/20

Subject: Timely finalization of Departmental Disciplinary Proceedings-comparing vigilance administration.

Ref:	(i) Commission's Circular No. R(O)g/99(2)	Dated 19.02.1999
	(ii) Commission's Circular No. R(O)g/99(3)	Dated 03.03.1999
	(iii) Commission's Circular No. No/99(7)	Dated 06.09.1999
	(iv) Commission's Circular No. 000/VGL/18	Dated 23.05.2010
	(v) Commission's Office Order No. 31/08/2004	Dated 19.08.2004
	(vi) Commission's Circular No. 02/01/2016	Dated 18.01.2016

The Central Vigilance Commission as per of its functions of ensuring superintendence over the vigilance administration of the organizations covered under its administrative jurisdiction and for bringing about improvement and efficiency in the same, has been emphasizing on timely initiation and completion of the disciplinary proceedings, wherever required. The Commission is of the view that any delay or initiation or finalization of the disciplinary action is detrimental to the interest of the organization, and that of the official concerned.

2. Guidelines have been issued by the Commission in this regard, defining the time limits for various stages of disciplinary proceedings, in order to ensure that there is no undue delay on the part of the concerned authorities/officials. However, it is observed that despite clear guidelines issued by the Commission and Department of Personnel & Training (DPT), the concerned officials concerned are not adhering to the prescribed time-limits and the disciplinary proceedings in some cases take much longer time, which leads to concerted delay in finalization of disciplinary case. Any untimely or the delay may also be a cause of unnecessary litigation and provide undue advantage/leniency to the charged official. Such delays on one hand help in creating penalty or guilty officials, while protecting the agents of the officials who may have been charge-sheeted wrongly, by free costs and are finally exonerated.

Contd. 2.

1. The delay in completion of departmental proceedings on the part of the organisations concerned has also attracted adverse comments from the Hon'ble Supreme Court of India in Civil Appeal No. 954 of 2010 Pannu Singh Bahi Vs. Registrar, High Court of Delhi & Anr. in its judgement dated 16.12.2015.

2. In continuation of CVC's guidelines dated 23.05.2008 and DoPT (O) dated 14.10.2015, the Commission therefore, to ensure prompt timely action in disciplinary matters where disciplinary proceedings have been initiated are as to be initiated, the following time limit may be adhered to:-

Sl. No.	Stage of disciplinary action	Time Limit
1.	Issue of Charge Sheet to the stage of appointment of IO and PO	All the required actions may be completed within a period of 02 months from the date of issue of First Stage Advice of the Commission.
2.	Conducting departmental inquiry and submission of report by the Inquiry officer (I/O.)	The inquiry report should be submitted within 6 months from the date of appointment of inquiry officers.
3.	Overall additional time for all/any of the above stages of disciplinary proceedings, during some unavoidable circumstances	In addition to the above time limit, a period of 1 more month may be taken, if required.

3. The Commission desires that the above time limit should be adhered to strictly by the authorities in the organisations concerned. Since initiation and conduct of disciplinary proceedings is within the domain of the disciplinary authority concerned, the CVCs may bring the above guidelines of the Commission to the notice of its constituent authorities for compliance.


 (Barry/Vasudev)
 Officer on Special Duty

- To:**
- (i) The Secretaries of all Ministries/Departments of Govt.
 - (ii) All Chief Executives of CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
 - (iii) All CVCs of Ministries/Departments of Govt./CPSUs/Public Sector Banks/Public Sector Insurance Companies/Autonomous Bodies etc.
 - (iv) Website of CVC.

Copy to:

Department of Personnel & Training (Shri Lok Nath, Additional Secretary, D-P&T), North Block, New Delhi-110 001 for information and necessary action.

- 1 Issue of C/S to the stage of appointment of IO & PO- All the required action may be completed within period of 2 months
- 2 Conducting departmental inquiry and submissions of report by I/O :- Within 6 months since date of appointment of I/O
- 3 Overall Additional Time for All/Any above stages of Disiplinary :- Inaction to 6 months 1 more month may be taken if required

F. No. 11012/09/2016-Estt.A-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment A-III Desk

North Block, New Delhi – 110001
Dated 8th December, 2017

OFFICE MEMORANDUM

Subject: Frequently Asked Questions on timeline for completing Disciplinary proceeding in time bound manner under CCS (CCA) Rules, 1955

Instructions have been issued in the past for expeditious disposal of disciplinary proceeding cases. Further, Central Civil Services (Classification, Control & Appeal) Rules, 1955 have also been notified vide Gazette Notification No. 548(E) dated 2.06.2017 (copy enclosed) for introducing stringent timeline for completing disciplinary proceeding in a time bound manner. **Based on the same, a set of frequently asked questions is attached for necessary information.**

2. Ministries/ Departments are requested to bring the contents of this O.M. to all concerned for compliance.
3. Hindi version will follow.


(Nalin Gupta)

Under Secretary to the Govt. of India
Tel. 23040254

To
The Secretaries of All Ministries/Departments
(as per the standard list)

Copy to:

1. President's Secretariat, New Delhi.
2. Vice-President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. Cabinet Secretariat, New Delhi.
5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Secretary, Union Public Service Commission, New Delhi.
8. The Secretary, Staff Selection Commission, New Delhi.
9. All attached offices under the Ministry of Personnel, Public Grievances and Pensions.
10. National Commission for Scheduled Castes, New Delhi.
11. National Commission for Scheduled Tribes, New Delhi.
12. National Commission for OBCs, New Delhi.
13. Secretary, National Council (JCM), 13, Feruze Shah Road, New Delhi.
14. ADG (M&C), Press Information Bureau, DoP&T
15. NIC, Department of Personnel & Training, North Block, New Delhi (for uploading the same on the website of this Ministry under the Head Notifications → OMs & Orders → Establishment → CCS (CCA Rules), What's New and FAQ under Employee Corner)
16. Hindi Section, DoP&T

[Annexure]

FAQs on the time limit for disposal of disciplinary cases

Question: What is the time limit for charged officer to submit his written statement of defence on charge sheet?

Answer: It is 15 days, which can be further extended by a period not exceeding 15 days at a time for reasons to be recorded in writing by the Disciplinary Authority or any other authority authorized by the Disciplinary Authority on his behalf. The overall limit for filing of reply should not be extended beyond 45 days from the receipt of the articles of charge by the charged officer. [Sub Rule 4 in Rule 14 of CCS (CCA) Rules, 1965]

Question: What is the time limit for producing requisite documents claimed by charged officer during?

Answer: Sub rule (13) in Rule 14 provides for producing the documents or issue of non-availability certificate within a period of one month of the receipt of such requisition.

Question: What is the time period for the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge if the Government Servant fails to appear within the specified time or refuses or omits to plead?

Answer: It is 30 days. [Sub rule (11) in Rule 14 of CCS (CCA) Rules, 1965]

Question: What is the time period for inspecting the documents produced by Presenting Officer for the purpose of preparing his defence?

Answer: Within five days of the order passed by Inquiring Authority, which can be further extended not exceeding 5 days. [Sub rule (11) (i) in Rule 14 of CCS (CCA) Rules, 1965]

Question: What is the notice period for production of any documents, which are in possession of Government but not mentioned in the list of documents served with the charge sheet but a request in this regard is made by the Charged Officer?

Answer: The Inquiring Authority can allow a time of 10 days for the purpose, which can further be extended by not exceeding 10 days. [Sub rule (11) (ii) in Rule 14 of CCS (CCA) Rules, 1965]

Question: What is the time limit provided for adjournment before close of the case for Presenting Officer to produce evidences not included in the list given to Charged officer or Inquiring Authority himself call for new evidence or recall and reexamine any witness?

Answer: Such adjournment is done for 3 clear days excluding the day of adjournment and the day to which the inquiry is adjourned. [Sub rule 15 in Rule 14 of CCS (CCA) Rules, 1965]

Question: What is the time limit for completing the inquiry and submit report by Inquiring Authority?

Answer: In terms of notification No G.S.R. 548 (E) dated 02.06.2017, the Inquiring Authority should conclude the inquiry and submit his report within 6 months from the date of receipt of order of his appointment. An additional time not exceeding six months for completing the inquiry can be allowed at a time on the basis of sufficient and good reasons, to be recorded in writing by Disciplinary Authority [Sub rule (24) in Rule 14 of CCS (CCA) Rules, 1965]

Question: Whether time limit of 6 months decided vide notification dated 02.06.2017 is also applicable to cases where Inquiring Authority was appointed prior to the 02.06.2017?

Answer: Yes. Ideally such cases should have been completed, as per the time limit prescribed in the said notification, if those cases are still pending, the period of six months for completing the inquiry can be reckoned w.e.f. 02.06.2017 and extension should be sought, if required.

Question: What is the time limit for furnishing written representation by charged officer on the advice of UPSC?

Answer: It is 15 days from the receipt of the copy of advice of UPSC by the charged officer. [Sub rule (3)(b) in Rule 15 of CCS (CCA) Rules, 1965]

Question: What is the time limit for sending proposal to CVC for first stage advice?

Answer: If vigilance angle is involved in any complaint, this case should be referred to CVC for their 1st stage advice within one month of the receipt of investigation report. If vigilance angle is not involved, the case should be put up to disciplinary authority for taking a decision to initiate disciplinary action under CCS (CCA) Rules within one month from the date of receipt of investigation report. [DoP&T's O.M. No. 425/04/2012-AVD-(V/A) dated 29.11.2012]

Question: What is the time limit to put up the case to Disciplinary Authority after receipt of first stage advice of CVC for taking a decision to initiate disciplinary proceeding?

Answer: Within one month of the receipt of first stage advice of CVC. [DoP&T's O.M. No. 425/04/2012-AVD-IV(A) dated 29.11.2012]

Question: What is the time limit to issue a charge sheet to Charged Officer once a decision is taken by Disciplinary Authority to initiate disciplinary proceeding?

Answer: The charge sheet should be issued to Charged Officer within a week from the date of receipt of the decision of Disciplinary Authority. [DoP&T's O.M. No. 425/04/2012-AVD-IV(A) dated 29.11.2012]

Question: What is the time limit for seeking representation of Charged Officer on inquiry report and disagreement of Disciplinary Authority, if any on it?

Answer: The Charged Officer may be allowed 15 days to submit, if he so desires, his written representation or submission to the Disciplinary authority. [DoP&T's O.M. No. 11012/13/85-Extt (A) dated 29.06.1989]

Question: What is the time limit for seeking second stage advice of CVC, if required or to UPSC for their advice?

Answer: It should be sent to CVC or UPSC within one month from the date of receipt of representation of Charged Officer on inquiry Report. (CVC's circular No. 000/VGL/18 dated 23.05.2000)

Question: What is the time limit for concluding major penalty proceeding?

Answer: It should be completed within 18 months from the date of issue of the charge sheet to Charged Officer. [DoP&T's O.M. No. 372/3/2007-AVD-III (Vol.10) dated 14.10.2013]

(7) Timely payment of subsistence allowance

In the case of Ghanshyam Das Srivastava Vs. State of Madhya Pradesh (AIR 1973 SC 1183), the Supreme Court had observed that where a Government servant under suspension pleaded his inability to attend the inquiry on account of financial stringency caused by the non-payment of subsistence allowance to him the proceedings conducted against him *ex parte* would be in violation of the provisions of Article 311 (2) of the Constitution as the person concerned did not receive a reasonable opportunity of defending himself in the disciplinary proceedings.

2. In the light of the judgment mentioned above, it may be impressed on all authorities concerned that they should make timely payment of subsistence allowance to Government servants who are placed under suspension so that they may not be put to financial difficulties. It may be noted that, by its very nature, subsistence allowance is meant for the subsistence of a suspended Government servant and his family during the period he is not allowed to perform any duty and thereby earn a salary. Keeping this in view, all concerned authorities should take prompt steps to ensure that after a Government servant is placed under suspension, he received subsistence allowance without delay.

3. The judgment of the Supreme Court referred to in para 1 above indicates that in that case, the disciplinary authority proceeded with the enquiry *ex parte* notwithstanding the fact that the Government servant concerned had specifically pleaded his inability to attend the enquiry on account of financial difficulties caused by non-payment of subsistence allowance. The Court had held that holding the enquiry *ex parte* under such circumstances, would be violative of Article 311 (2) of the ~~Constitution on account of denial of~~



न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
विश्वामय शक्तिवर्धन विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)
सामाजिक न्याय और शक्तिवर्धन विभाग/Ministry of Social Justice & Empowerment
भारत सरकार/Government of India

इकोन, एन.एस.डी. भवन, ग-2, सेक्टर-10, नए दिल्ली-110075; फ़ोन : (011) 20892364
5th Floor, N.S.D. Bhawan, G-2, Sector-10, New Delhi-110075; Tel.: (011) 20892364
Email: ccpd@nic.in; Website: www.ccd disabilities.nic.in

Case No. 13545/1022/2023

To

The Director General
Forest Survey of India
Ministry of Environment, Forest & Climate Change
Kauangarh Road, P.O. IPE Dehradun-248195
Contact : 0135- 2758139, 2754507, 2755037
Email: dgfs@fsi.nic.in, jctfi@fsi.nic.in

Sub: Legal framework related to posting/transfer/retention of employees with disabilities and caregivers to dependent persons with disabilities

Madam/Sir,

I am directed to refer to the communications in the matter above and to bring to your knowledge the following legal Provisions/guidelines relating to the transfer/posting of divyang employees and those who are caregivers of divyang persons:-

2. Statutory Provisions and Guidelines:

a) Article 41 of the Indian Constitution - The state shall make effective provisions for securing the right to work, education, and public assistance in cases of unemployment, old age, sickness, and disablement.

b) Section 20 (2) of RPwD Act, 2016 - Sub Section 2 of Section 20 states that government establishment shall provide reasonable accommodation, appropriate barrier free and conducive environment to divyang employees.

c) Section 20 (5) of RPwD Act, 2016 - Sub Section 5 of Section 20

provides that the appropriate government may frame policies for posting and transfer of employees with disability.

d) Section 21 of the RPwD Act:

"21. Equal opportunity policy—(1) Every establishment shall notify equal opportunity policy detailing measures proposed to be taken by it in pursuance of the provisions of this Chapter in the manner as may be prescribed by the Central Government. (2) Every establishment shall register a copy of the said policy with the Chief Commissioner or the State Commissioner, as the case may be."

e) Rule 8 of the RPwD Rules, 2017 prescribing the manner of preparing and notifying the Equal Opportunity Policy under Section 21 of the Act:

"8. Manner of publication of equal opportunity policy.

(1) Every establishment shall publish equal opportunity policy for persons with disabilities.

(2) The establishment shall display the equal opportunity policy preferably on their website, failing which, at conspicuous places in their premises.

(3) The equal opportunity policy of a private establishment having twenty or more employees and the Government establishments shall inter-alia, contain the following, namely:

(a) facility and amenity to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment;

(b) list of posts identified suitable for persons with disabilities in the establishment;

(c) the manner of selection of persons with disabilities for various posts, post-recruitment and pre-promotion training, preference in transfer and posting, special leave, preference in allotment of residential accommodation if any, and other facilities;

(d) provisions for assistive devices, barrier-free accessibility and other provisions for persons with disabilities;

(e) appointment of liaison officer by the establishment to look after the recruitment of persons with disabilities and provisions of facilities and amenities for such employees.

(4) The equal opportunity policy of the private establishment having less than twenty employees shall contain facilities and amenities to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment."

(3) In this regard the DOP&I being the nodal ministry of the central government on personnel matters have issued the following instructions

which have also been circulated by other cadre controlling authorities such as the DPS, the DPE, the railway board, etc:-

(i) E.No. 302/13/2/87-SCT (B) dated 15.02.1988 issued by Ministry of Finance - This O.M. provides guidelines related to posting of Divyang employees at their native place and exemption of such employees from routine transfer. This O.M. also provides that employees should not even be transferred on promotion if a vacancy exists in the same branch or in the same town. Further, this O.M. provides that if it is not possible to retain Divyang employee at his place of posting, due to administrative exigencies, even then he must be kept nearest to his original place, and in any case, he should not be transferred at far off or remote place of posting.

(ii) No. A-B 14017/41/90-Estt (RR) dated 10.05.1990 issued by DoP&T - This O.M. provides that employees belonging to Groups C and D may be posted near their native place.

(iii) O.M. No. 14017/16/2002-Estt(100) dated 13.03.2002 issued by DoP&T. This O.M. clarifies rule laid down in No. A-B 14017/41/90-Estt (RR) dated 10.05.1990. The said O.M. laid down that Government employees belonging to Group C and Group D may be posted near to their native place. O.M. of the year 2002 further extended this rule for employees belonging to groups A and B as well.

(iv) No. 36035/3/2013-Estt(Res) dated 31.03.2014 issued by DoP&T - This O.M. lays down certain guidelines for providing facilities to divyang employees of government establishments. Under the heading "H" of the O.M. two guidelines with respect to the transfer and posting of divyang employees are laid down. Firstly, it is laid down that divyang employees may be exempted from rotational transfer and allowed to continue in the same job where they would have achieved the desired performance. Secondly, the O.M. provides that at the time of transfer/promotion, preference in place of posting may be given to Persons with Disabilities subject to administrative constraints.

(v) No. 42011/3/2014-Estt (Res) dated 06.06.2014 issued by DoP&T - This O.M. is related to the posting of government employees who are caregivers of Divyang children. Considering challenges that are faced by the caregiver of a divyang child, this O.M. provides that the caregiver of a divyang child may be exempted from routine transfer/rotational transfer.

(vi) No. 42011/3/2014-Estt(RR) dated 08.10.2018 issued by DoP&T - This O.M. extended the scope of O.M. dated 06.06.2014. This O.M. lays down that a government employee who serves as the main caregiver of a dependent daughter/son/parents/spouse/brother/ sister may be exempted from the exercise of routine transfer.

approached the Chief Commissioner for Persons with Disabilities (CCPD) in short for retention in Jaipur. CCPD by its Order dated 01.04.2014 recommended for retention of the employee in Jaipur. The bank failed to implement the Order of CCPD. The employee approached the Hon'ble High Court for implementation of the CCPD Order. The bank challenged the CCPD Order, opposed the petition, and contended that the promotion policy provides for transfer on promotion of the employees. Court rejected the bank's contention and held that the grievance of divyang employees must be considered with compassion, understanding, and expediency. Hon'ble Court held that the employee must be retained in the Jaipur branch even after promotion.

b) **Saurendra Kumar Singh v. State Bank of India**, Writ Petition No. 5685/2013; judgment dated 17.01.2014 - In this case, Petitioner, a divyang employee of the Respondent bank, was posted in Ranchi. Thereafter, he was promoted and posted in Daltonganj, Jharkhand. The petitioner approached the Hon'ble High Court for quashing of transfer orders and retention in Ranchi. The Respondent bank relied upon its transfer policy and contended that at the time of promotion, employees are transferred. Further, it was contended that O.Ms. issued by various ministries and departments are recommendatory and are not binding. Hon'ble High Court rejected Respondent Bank's contentions and relied upon Ministry of Finance O.M. dated 15.02.1998 and DeP&T O.Ms. dated 10.05.1990 and 13.03.2002. Hon'ble Court quashed transfer Orders issued by the Respondent bank and directed for employee's retention in Ranchi.

8. In view of the above, it is advised to look into the matter afresh and take necessary action to resolve the issue pertaining to this case in light of the above provisions and forward an action taken report to this Court within 30 days of issuance of this communication by email to ccpd@nic.in.

(P. P. Ambashta)
Dy. Chief Commissioner



न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
 दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)
 सामाजिक न्याय और शक्तिशक्ति विभाग/Ministry of Social Justice & Empowerment
 भारत सरकार/Government of India
 5th फ्लोर, एन.एस.डी. भवन, ई-2, सेक्टर-10, नई दिल्ली-110075; दूरभाष : (011) 20092364
 5th Floor, N.S.D. Bhawan, E-2, Sector-10, New Delhi-110075, Tel.: (011) 20092364
 Email: ccpd@nic.in; Website: www.ccdinabilities.nic.in

Case No. 13545/1024/2022

In the matter of:

Complainant:

Shri Kumar Kalbade
 CPWD Type-4 Quarter I
 Block 56, Civil Lines,
 Nagpur
 Mobile- 09356009568
 Email- kumarKalbade@gmail.com

Respondent:

The Director General
 Forest Survey of India
 Ministry of Environment Forest & Climate Change,
 Xwlagarh Road,
 P.O. IPE, Dehradun,
 Uttarakhand- 248195
 Email- dgfs@fsi.nic.in
 dtf@fsi.nic.in

Hearing: An online hearing was conducted on 18.12.2023. The following parties/representatives were present during the hearing:

- (1) Shri Kumar Kalbade, Complainant
- (2) Shri Arvind Murde, Dy. Director FSI, for Respondent

RECORD OF PROCEEDINGS

The representative of the Respondent submitted that the Complainant was transferred to Kolkata on 30.07.2021 from Nagpur. He has not joined his duties at the new place of his till date is on unauthorized absence. The Respondent attempted many times for his joining at RO, Kolkata so that all dues could be paid to him. Further, an inquiry is ongoing against the Complainant on the charge of submitting a fake experience

certificate to secure employment, which is almost complete and the report is likely to be submitted soon. During the inquiry, his previous employer as per the experience certificate submitted by the Complainant, has informed that no such person had worked there and also no payment was made towards him. Further, the appointment of the Complainant was not from the PwD quota. The Complainant submitted a temporary disability certificate on 11.05.2022, i.e. after 9 months of his transfer. The photo on his disability certificate was at least 10 years old. The disability certificate was verified from GMC, Nagpur, and the Complainant was asked to appear for re-examination. The same was communicated to him.

2. It was further submitted that as regards sexual harassment, an internal inquiry is in progress and the hard disc of the computer has been sent to Forensic Lab, Pune. The forensic report is still awaited.

3. The Complainant submitted that he tried to join RO Koliata, but he was provided with accommodation on the 3rd floor. The lift was not working and he was unable to stay there. He filed a police complaint there and submitted the videos as evidence. In RO Koliata, there are two posts for JTA and both were filled. There is no post available for him. Regarding the experience certificate, the Complainant submitted that he had worked in the forest department on a daily wage basis as a contractual worker. Regarding disability certificate, it was issued by GMC, Nagpur after he met an accident on 11.05.2022. He visited GMC, Nagpur for medical re-examination but not entertained as his Identity Card was held by RO, Nagpur. He was not paid with salary during Covid-19 period. He also submitted that he has video evidence in support of his claims.

4. After hearing the parties this Court observed that during the last hearing conducted on 26.05.2023 both parties were asked to submit certain documents/evidence in support of their statements but they have not submitted the same as yet. The Court asked the Respondent about reasons for the delay in internal inquiry for fake experience certificate and sexual harassment. The Chief Commissioner for Persons with Disabilities directed both parties to submit documents, videos, and any other evidence in support of their statement within 45 hours so that the next course of action be taken.

5. This is issued with the approval of the Chief Commissioner for Persons with Disabilities

**Signed by Praveen Prakash
Ambashta
Date: 31-12-2023 19:18:00
Reason: Approved**

**(P.P. Ambashta)
Dy. Chief Commissioner**

No. 43011/35/2022- Estt. (Res-II)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment (Res-II) Section

North Block, New Delhi
Dated, the 8th December, 2022

OFFICE MEMORANDUM

Subject:- Representation of Shri Kumar Kalbande regarding transfer to the nearest station for the person with locomotor disability - regarding

The undersigned is directed to forward herewith a copy of representation of Shri Kumar Kalbande received from Department of Empowerment of Persons with Disabilities, regarding transfer to the nearest station for the person with locomotor disability

2. As observed from the representation, Shri Kumar Kalbande is working as Junior Technical Assistant at Forest Survey of India. He got temporary disability due to accident in January 2022 and has requested relief from transfer on the ground of Disability.

3. In this regard, it is submitted that this Department issued OM No.36035/3/2013-Estt.(Res), dated 31.03.2014. Para 2(H) of said OM provides:

" As far as possible, the persons with disabilities may be exempted from the rotational transfer policy/transfer and be allowed to continue in the same job, where they would have achieved the desired performance. Further, preference in place of posting at the time of transfer/promotion may be given to the persons with disability subject to the administrative constraints.

The practice of considering choice of place of posting in case of persons with disabilities may be continued. To the extent feasible, they may be retained in the same job, where their services could be optimally utilized."

4. As the petitioner is the employee of Forest Survey of India, the administrative Department of Forest Survey of India is Ministry of Environment, Forest and Climate Change, therefore, the above representation is being forwarded along with the comments of this Department, for action as appropriate.

Encls: As above.

To
The Secretary
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhavan
Jorbagh Road, New Delhi-110003.

ok
3:53 PM

(Debabrata Das)
Under Secretary to the Govt. of India
Ph. No. 23093307

The Appellant reiterated the contents of his written submission filed prior to hearing by *inter-alia* stating as under -

"...1. The Appellant, is employed as JTA in the Forest Survey of India under the Ministry of Environment and Forests and happens to be a Person with Locomotor Disability and is a Gay individual as well. The facts in brief are to the effect that the Appellant was discriminated on the ground of his gender identity and disability by his superiors in the office on alleged refusal sexual favors demanded by the Regional Director (Mr. Chatubhu) Behera) as per records made by non applicant attached below. Consequently, he was transferred to Forest Survey of India, Kolkata in absolute violation of the DOPT's Office Memorandum regarding transfer of employees with disabilities. The aforesaid actions *inter-alia* are in absolute violation of the Transgender Persons (Protection of Rights) Act, 2019, Rights of Persons with Disabilities Act, 2016 and Constitutional Rights Guaranteed through SC Judgment of Putty Swami, Nalsa vs Union of India, Navtej Singh Johar & Ors. v. Union of India & The Appellant has not received his salaries since last three (03) years 1 month and consequently suffering unimaginable agony and distress.

2. The Appellant approached the DOPT with his grievances against the present Respondent pertaining to the discrimination at workplace and illegal transfers and the DOPT was pleased to issue an Office Memorandum No-43011/35/2022 Exit (Res-11) dated 8th December 2022 clearly stating that

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the employees with disabilities are entitled to posted near to their hometown and cannot be transferred in such a manner. The copy of the said O.M. was addressed to the Secretary, Ministry of Environment, Forest and Climate Change, New Delhi. However, no remedial steps were taken by the present Respondent in view of the said O.M.

3. Aggrieved by the inaction at the part of the Respondents, the Appellant preferred an application under the RTI Act for the following information:

"1) Provide me information related to further correspondence/ action initiated on this letter by your Ministry.

2) Provide me information regarding letter has been marked to Grievance Redressal Officer as per Disability Act 2016 Section 23

3) Provide me true copies of all the related documents along with the Notesheet through email"

4. However, the CPIO did not provide the information to the Appellant and gave a very vague reply vide updated dated 02.01.2023 stating "The said O.M. not received in this Division through proper channel."

5. The Appellant being aggrieved and unsatisfied by the reply provided by PIO approached the First Appellate Authority specifically submitting that since the said O.M. has been sent to the Secretary in the Ministry, it must be there in some or the other division and therefore the information ought to be provided to him".

Per contra, the Respondent invited attention of the Commission towards his written submission, relevant extracts of which are reproduced below -

"The Applicant, not satisfied with the reply of the then CPIO, made the first appeal to the First Appellate Authority (FAA) on 29.01.2023. The then FAA disposed of the appeal on 15.02.2023 accordingly as per the provisions of the RTI Act, 2005 the reply of FAA (A-I).

"The concerned CPIO & US(FE) in the MoEF&CC has replied RTI request on the basis of available records. Accordingly, first online disposed of. In case

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Appellant is not satisfied with this reply, he has the right to approach CIC, New Delhi within 30 days" - Asha Chauhan, FAA & Director, MoEFCC, New Delhi

4. The Applicant is employee of Forest Survey of India (FSI), a Junior Technical Assistant, who has been transferred from FSI, Nagpur office to FSI, Kolkata office in July, 2021. He has not joined duty at FSI, Kolkata office till date and enquiry in three disciplinary proceedings are already going on against the appellant as per the information submitted by Forest Survey of India, Dehradun (A-II).

5. It is submitted that transfer and posting of FSI employee is looked after by the FSI, Dehradun.

6. The RTI applicant Shri Kumar Kalbunde has filed many RTI's applications at FSI and Ministry from March 2021 to till date seeking various information and submitted in front of the Hon'ble CIC that Shri Kumar Kalbunde is Habitual RTI applicant who never satisfies with the reply given by public authority. Numerous complaints have also been sent to Hon'ble President, Prime Minister's Office, Ministers, VIPs, Court of Chief Commissioner for Persons with Disabilities (Divyangjan), National Commission for Backward Classes, National Human Rights Commission etc. by Shri Kumar Kalbunde.

Prayer:

As per the available records, the OM of DoPT No. 43011/35/2022, Estt(Res- II) dt. 08/12/2022 has not received at Forest Establishment Division, MoEFCC, New Delhi.

However, the present CPIO and US(FE) has taken cognizance of the OM of DoPT no.43011/35/2022, Estt (Res-II) dt. 08/12/2022 and the DoPT OM dt. 08/12/2022, will send to FSI, Dehradun after obtaining approval of competent authority"

The Commission after adverting to the facts and circumstances of the case, hearing both the parties and perusal of the records, observes that the core contention raised by the Appellant in the instant appeal was non-receipt of information from the CPIO. On the other hand, the Respondent contended that factual position in the matter has already been informed to the Appellant that *"The said O.M. not received in this Division through proper channel."* The Respondent further contended that original OM was not received in their office from DoP&T, as the same was received along with RTI application of the Appellant.

Upon perusal of the records, the Commission observes that the response given by the Respondent is as per the provisions of the RTI Act.

Nonetheless, to address the contentions of the Appellant, the Commission, taking a liberal view in the spirit of RTI Act, observes that the Respondent has now received the *Office Memorandum of DOPT No 43011-35-2022-Estt(Res II) dated 8 December 2022 which is marked to Honorable Secretary MOEFCC New Delhi*, along with the RTI application of the Appellant, therefore, in the interest of justice, the Respondent is directed to re-examine the RTI application dated 02.01.2023 of the Appellant and give updated revised reply/information, as per the provisions of the RTI Act, within a period of six weeks from the date of receipt of this order. The Respondent is at the liberty to verify the genuineness of the OM of DoPT as annexed to the RTI application before complying with the directions of the Commission.

to information in an informed and judicious manner. Further, he is advised to approach appropriate forum to redress his grievance.

No further relief can be granted in the matter.

The above-mentioned second appeals are disposed of accordingly.

Vinod Kumar Tiwari (विनोद कुमार तिवारी)
Information Commissioner (सूचना आयुक्त)
Date 19-02-2024

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

(R K Rao)
Dy. Registrar
011- 26181827
Date

1 RTI No FSOID/R/E/23/00086/1 dated
21/9/2023

E-417-66/656
GOVERNMENT OF INDIA
Ministry of Environment, Forest & Climate Change
FOREST SURVEY OF INDIA
Central Zone, CGO Complex
Block 'A', Seminaray Hills, Nagpur-440 008

Date 13/10/2023

To,

Sri Kamesh Kalbunde
Rafli Layout, Laxminagar
Katur-441202
(Through RTI Portal).

Subject: RTI application No FSOID/R/E/23/00086/1 dated 21.09.2023 of Sh.Kamesh Kalbunde,
electronically transferred from other public authority (received on 25.09.2023) -reg.

With reference to your above mentioned RTI application, the reply is furnished as follows:-

1. Sri. Ganesha Vaghare, Consultant
Monthly remuneration: Rs. 30000/-per month plus Rs. 2000/- Transport Allowance.
2. Information is not available
3. No such advertisement is issued by this office. Hence the information is "Nil"
4. CPD is not supposed to answer to hypothetical questions
5. Information as on 30.09.2023 is attached.

In case you are not satisfied with this reply, an appeal can be preferred within 30 days of receipt
of the decision. The name and designation of the First Appellate Authority is as below:

Sri Chaturbhaja Bohara, IPS
Regional Director
Forest Survey of India,
Central Zone,
Nagpur-6


Central Public Information Officer
19/10/23

Staff position in FSI

SANCTIONED STRENGTH, EXISTING STRENGTH & VACANCY POSITION AS ON 1
FOREST SURVEY OF INDIA, CENTRAL ZONE, NAGPUR

No. No.	Classification of post	Designation of post	Sanctioned strength of post	Existing incumbent with Name	Whether belongs to SC/ST/OBC/GENERAL	No. of vacant posts	
1	GROUP 'A' POSTS	Regional Director	1	1. Sr. Chakrabarti Somnath, IAS		1	
2		Sr. Dy Director	2			2	
3		Assistant Director	1	1. Sr. B. N. Nark	SC	0	
1	SUB TOTAL		4	1		3	
1	GROUP 'B' (NON-GAZ) POSTS	Sr. Technical Assistant	7	1. Sr. Pradip K. Kulkarni 2. Dr. Ramesh K. Gankar 3. Mr. Ananta Yashu 4. Sr. Suman V. Patil	OBC OBC GENERAL ST	2	
2		stenographer Gr. I	2			2	
3		Jr. Technical Assistant	29	1. Sr. P. G. Jeyaraj 2. Sr. Rajul Chakran 3. Sr. Devendra A. Chakran 4. Ananta Kumar Singh 5. Sr. Sanyal Prakash 6. Sr. Prady S. Nagarkar 7. Sr. N. D. Pawar 8. Sr. Ramesh B. Dhanekar 9. Dr. M. T. Sankar 10. Sr. Ashwinkumar Dhargave	OBC SC OBC GENERAL OBC OBC GENERAL SC GENERAL SC	22	
		Supervisor	3			3	
		Jr. Train officer	1			1	
		Sr. Draughtsman	1			1	
		Jr. Draughtsman	2	1. Sr. Gaurang H. Parnal	OBC	1	
		SUB TOTAL		43	15		30
1		GROUP 'C' POSTS	Deputy Range	13	1. Sr. Anant Singh 2. Sr. Praveen Kumar Nag 3. Sr. Prakash Shrivastava 4. Sr. Prakash R. Agarkar 5. Sr. Karik Phansalkar 6. Dr. Suman Khan 7. Dr. Chandrashekar K. 8. Sr. Ananta B. Kulkarni 9. Sr. Bhushan B. Dhanekar 10. Sr. Anil M. Jaiswal 11. Sr. Ananta A. Ashkar 12. Sr. Laxman P. Vaidya	GENERAL OBC ST OBC OBC OBC OBC OBC GENERAL GENERAL GENERAL OBC OBC	1
			Peon	8	1. Sr. Hemant Patil	GENERAL	7
	Upper Division Clerk		2	1. Sr. Umesh Chand 2. Sr. Saurav Suman	GENERAL (OBC) OBC	0	
	Lower Division Clerk		3			3	
	Driver Grade - I		2	1. Sr. H. P. Dalviya	SC	1	
	Driver Grade - II		3	1. Sr. Jaganmohan G. Tare	OBC	2	
	Driver Ordinary Grade		2			2	
6	MTS		6	1. Sr. Kailash Singh 2. Sr. Devraj Kumar 3. Sr. Shashant Oke	SC OBC OBC	3	
	SUB TOTAL		39	20		19	
	GRAND TOTAL		88	36		52	

Regional Director
Forest Survey of India

Applicant Name	Patrick Sule (Shamrock)
Date of receipt	21/09/2023
Request Filed With	Patrol Service of Garda Síochána
Text of Application	<p>It is requested to kindly provide following information in respect of my I/P (SIA) submitted with Donegal Police (Doris, Neill, Kelly & Higgins) under RTI act 2017.</p> <p>1. The certified hardcopy of copy of the list of consultants engaged with their existing company/contract.</p> <p>2. The certified hardcopy copy only work done by the consultants in details in the period from December 2020 to 31 September 2023.</p> <p>3. The certified hardcopy copy of the submissions of the consultants of the consultants as well as any of consultants signed and stamped.</p> <p>4. The SOP guidelines are being followed or not while recruiting consultants.</p> <p>5. The certified hardcopy copy of the books of accounts/ledger as well as banked account strength of the consultant staff and physical staff (if any) used.</p>
Request Document type	Document not provided
Status	REQUEST SUBMITTED ON 21/09/2023 85/195
Date of Action	20/10/2023
Remarks	<p>Reply : 1. The certified hardcopy of the list of consultants engaged with their existing company/contract. Info: No consultant engaged in P/1118 category.</p> <p>2. The certified hardcopy copy only work done by the consultants in details in the period from December 2020 to 31 September 2023. Info: Nil.</p> <p>3. The certified hardcopy copy of the submissions of the consultants of the consultants as well as any of consultants signed and stamped. Info: Nil.</p> <p>4. The SOP guidelines are being followed by consultants recruiting consultants. Info: Nil.</p> <p>5. The certified hardcopy copy of the books of accounts/ledger as well as banked account strength of the consultant staff and physical staff (if any) used. Info: please find attachment E for information as requested.</p>
Reply Document	Nil

... ..
... ..
... ..
... ..
... ..
... ..

The Respondent submit that your order apply to the Applicant as a
as under:

4. **AS TO PARAG:** The contents of this para are partially correct
to the extent that the Applicant has been transferred from PWS, GZ,
Nagpur to PWS, GZ, Kalam by the DGT, Delhi under Order dated
the Letter No. 104/2011 dated 28/03/2011 which has
been issued by the Applicant himself as **ANNEXURE A's** along
with the order O.A. But it is strongly, vehemently and emphatically
submitted and stated that the said Transfer Order dated 28/03/2011
was not officially communicated to the Applicant either by hand or
through electronic communication.

It is submitted that the Applicant was transferred from PWS,
Nagpur to PWS, Kalam **administrative grounds and in the public
interest.** The Applicant was advised from PWS, Nagpur on the order
by the Respondent No. 41 Order No. 25 dated 20/09/2011 with
the transfer as well as the relevant orders of the Applicant are

submitted to the Applicant via email on 26/09/2017 and
replies. It is annexed herewith as ANNEXURE R3. The
same was sent by the Speed Post also but as usual, the Applicant
got the habit of returning to take delivery of any official letter sent
to that Speed Post and the same was returned undelivered.

4. **AS TO PARA 2:** The contents of this para are matter of
record, and therefore, need no comments.

5. **AS TO PARA 3:** The contents of this para are also matter
of record, and therefore, need no comments.

6. **AS TO PARA 4:** The reply with regard to the sub-para of
para are furnished below:

4(a). **AS TO SUB-PARA 4(a):** The contents of this sub-para
relates to the Applicant's academic background, and as such
are a matter of record, hence need no comments.

4(b). **AS TO SUB-PARA 4(b):** The entire contents of this
sub-para are matter of record, and therefore, need no
comments.

4(c). **AS TO SUB-PARA 4(c):** The contents of this sub-para
is also matter of record, and therefore, need no comments.

4(d). **AS TO SUB-PARA 4(d):** The contents of this sub-para
are also matter of record, and therefore, the Respondents have

1199-1200, under their jurisdiction is annexed herewith as

ANNEXURE B-B

NAGPUR

DATE: 21/02/2022

RESPONDENT NO. 4

Sushma

(VERIFIER)
Counsel for Respondent,
Senior Panel Counsel,
CAT Mumbai, Circuit Bench at Nagpur

Respondent No. 4
Forest Survey of India
Central Zone, Nagpur

VERIFICATION

I, Dhairajbhimdebhora, IPE, aged about 54 years, Occupation Respond Director, Forest Survey of India, Central Zone, Nagpur, the Respondent No. 4 hereunder, do hereby take an oath and state in solemn affirmation that the contents of the above pages are correct and true to my personal knowledge and belief and are as per the official record. I am authorized to file this reply on behalf of Respondent No. 1, 2 and 3. Hence, verified, affirmed and signed on 21st day of March, 2022 while at Nagpur.

(Signature)
DEPONENT

Respondent No. 4
Forest Survey of India
Central Zone, Nagpur

KNOW AND IDENTIFY THE DEPONENT

Sushma

(VERIFIER)
Counsel for Respondent,
Senior Panel Counsel,
CAT Mumbai, Circuit Bench at Nagpur

No. F-417-04/239
 GOVERNMENT OF INDIA
 FOREST SURVEY OF INDIA
 Central Zone, Civil Complex
 Block 'A', Semrao Hills, Nagpur-480 006

Date: 12/07/2021

To,


Sri Kumar Kulkarni
 Qtr No. 1, Type 4
 CPWD Block 06
 Opp. IBM, Civil Lines
 Nagpur-440 001

Subject: First Appeal under Registration No. FSOH2/A/002/0010 dated 06/04/2021 under RTI Act, 2005-reg.

With reference to Sri Kumar Kulkarni's above cited First Appeal received in this office on 12/06/2021, against reply dated 27/04/2021 given by the CPWD against his RTI application under Registration No. FSOH2/K/T/22/00025/1 dated 01/04/2021, he is informed that Refusing Order No.35 dated 30/07/2021 in respect of Sri Kumar Kulkarni, JTA was sent by this office to his address by ordinary post on 30/07/2021 and through his personal email id on 31/07/2021 and again on 09/08/2021.

The copies of the emails sent to him along with a copy of his refusing order dated 30/07/2021 is forwarded herewith again for his information.

Encl: As above.


 H. Venkatesh
 First Appellate Authority &
 Regional Director

Annexure 5 Letter No 426/2021/Vo-FU/149 dated 17/6/2021

Annexure 16

Annexure 3

Letter No Misc-111/RON/2021-NGP/8373



विषय
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST &
CLIMATE CHANGE

Integrated Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur -
440001
eeo@central-hqp-mef@gov.in

F.No. Misc-111/RO/N/2021-NOP/8373

Dated: 29th July, 2021

To,

Shri Chaturbhuj Bahera,
Regional Director,
Forest Survey of India,
CGO Complex, Corridor-103,
Nagpur-440008.

Sub: Alleged Injustice and Harassment by Regional Director, FSI, Nagpur on
Shri Kumar Kalbade, JTA, FSI, Nagpur-reg.

Ref: (i) This office letter of serial number dated 05.07.2021.
(ii) Your Letter No. 6-8/15/CA/ol/V/303 dated 27.07.2021

Sir,

Kindly refer to the letter under Reference (i) wherein a point-wise written statement was requested from your side on the allegations made by Shri Kumar Kalbade, JTA, FSI, Nagpur with respect to which a reply has been received in this office vide letter under Reference (ii). After careful scrutiny, your comments on the following points have been found missing:

- (i) Defending integrity of Shri Kumar Kalbade to other Government Offices against office conduct rules.
- (ii) For not letting the Complainant to enter office premises and giving verbal orders to security guards to prevent his entry.
- (iii) Refusing the Complainant to join at Headquarter.
- (iv) Denying him Medical Attendance in case of Emergency when he was Hospitalized in the wake of COVID-19.
- (v) Denial of medical issues of Complainant in lieu of harassment charges.
- (vi) Mr. Kumar joined office on 01.07.2021 and marked the attendance for same which was crossed by JTD in attendance register.

- (vi) Refusal in proving Field Work Orders to the Complainant and giving orders verbally for the same.
- (vii) The Complainant was directed to submit a letter requesting his belongings back such as Identity Card, NHRA, IPRS Certificate and other necessary items while upon RID's directions disclosure section is not accepting any paper from the Complainant.
- (viii) Refusal for meeting Complainant and his family time and again.
- (ix) Harassing Late Supt. Sd/Ch. Tawakar, BOM at Forest Survey of India, Nagpur.
- (x) Joining at Office by Regional Director only after a week of being COVID Positive.
- (xi) Disobeying current Director General's Orders and humiliating Ex-Director General.
- (xii) Keeping Lawyer over 60 years of age at work for handling drafting and legal matters by paying him skilled labour salary against Labour Act.
- (xiii) Non-assignment of field duties to field staff, i.e. two Deputy Rangers and two Senior Technical Assistants against recruitment rules.

In this regard, you are requested to furnish your 'Clear' comments on the above mentioned points at the earliest to this office.

Encl: As above

V.N. Ambade
 (V.N. Ambade)
 Regional Officer,
 Integrated Regional Office,
 Nagpur.

*Recd. Insp.
 27/7/21*

— OC —
DESPATCHED
 21-07-2021



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST &
CLIMATE CHANGE

Integrated Regional Office
(WCZ)
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur -
440001
apccofcentral-ngp-mef@gov.in

F.No.Misc.111/RO/2011-NGP/8832

Date: 28.10.2021

To,

Dr. Suneesh Buxy, IFS
Inspector General of Forest (SU)
Govt. of India
Ministry of Environment, Forest & Climate Change
Indira Paryavaran Bhawan,
Allgarj, Jor Bagh Road
New Delhi -110003.

Sub : A preliminary report on alleged injustice and harassment to Shri. Kumar Kalbande, JTA by FSI, Nagpur- regarding

Ref : Your letter No. Misc/IGF-2021 dated 12.04.2021

Sir,

With reference to the subject cited above for preparation of preliminary report on alleged injustice and harassment to Shri. Kumar Kalbande, JTA by FSI, Nagpur the undersigned has conducted an inquiry after receiving the letter under reference from Ministry on 12.04.2021.

- 2) For perusing the instant matter, Shri Kumar Kalbande was first called to IRO, Nagpur on 16.04.2021. While he visited, this Office was informed that he was having throat infection and was unable to speak. Consequent upon, Shri Kumar was advised to visit the office only after recovery with prior appointment.
- 3) After the improvement in his health, Mr. Kalbande contacted this office but due to prevailing COVID conditions then (peak period), Regional Officer, IRO Nagpur got COVID Positive and the inquiry was postponed till 2nd June, 2021.
- 4) On 2nd June, 2021, Shri Kumar Kalbande visited IRO, Nagpur for formal discussion on Complaint against RD, FSI. He was asked to submit about the relief he got, if any, after his complaint dated 12.04.2021. He, subsequently submitted his further Grievance in writing on 10th June, 2021 (Annexure-1).

P

In the said Grievance letter Shri Kalbande, JTA informed about the harassment and mental stress caused to him through various means by RD, FSI, Nagpur, viz., non-payment of salary since January, 2021; Verbally instructing the Official to attend Field Work only without providing written Orders for the same; Forbading the Official from entering office premises (FSI, Nagpur); Tampering his attendance records, Threatening the Official regarding spoiling of his ACR's and profession etc.

Shri Kalbande specifically mentioned in his complaint that Shri C. Behera, RD, FSI, Nagpur attended office only after a week after being COVID positive himself due to which 17 number of staff got infected.

5) Keeping in view the above mentioned grievances and Complaint dated 12.04.2021 of Shri Kumar Kalbande, IRO, Nagpur vide Letter No. Misc-111/RO/2021-NGP/8251 dated 9th July, 2021 (**Annexure-2**) requested point-wise written statement of Shri Chaturbhuj Behera, RD, FSI, Nagpur within the stipulated time. After non-implementation of the same, a subsequent Reminder dated 19.07.2021 was issued. (**Annexure-3**)

6) Shri. C. Behera, Regional Director, Forest Survey of India, Nagpur vide letter No. 6-9/95/C/Vol.V/303 dated: 27.07.2021 has submitted his written statement (**Annexure-4**).

In his submission, certain allegations were made regarding the misconduct of the Official and was also stated that the Official is mischievous, truant and his conduct is highly despicable and hence, he is a dead-wood to the Organization whose services are no more required. Shri Behera also alleged about the unauthorized absence of the Official and Sexual Harassment case filed against him. He also stated that salary is not paid for writing complaints against office and other staff and that Complaints are no substitute for work.

7) After scrutiny of the written statement submitted by Shri. Chaturbhuj Behera, this Office vide letter No. Misc-111/RO/2021-NGP/8373 dated: 29.07.2021 (**Annexure- 5**) again requested RD, FSI, Nagpur to submit his clear and specific point-wise comments on the Complaint dated 12.04.2021.

8) Further, Shri. Chaturbhuj Behera, RD, FSI vide letter No. 6-9/95/C/Vol.V/26 dated 11.08.2021 has submitted his para-wise 2nd written statement (**Annexure- 6**) wherein he also included "Additional Points" regarding the misconduct of the Complainant.

In his reply, Shri Behera alleged against the official that he is harassing the RD by writing complaint letters to Ministry, DG-FSI Dehradun, Police, Union-Leaders etc; And that the Official was in habit of engaging in sexual activities in the office premises. It has also been mentioned that the Official refused to accept the Field Work Order by way of faking illness. Relevant to payment of Medical Bill, RD, FSI informed that due to budgetary constraint the medical bill of official could not be sanctioned. As against RTI Applications of Shri Kalbande, RD, FSI clarified that those were disposed off as per rule.

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संख्या-13-12/2023-प्रशा0 - 4231
भारत सरकार
भारतीय वन सर्वेक्षण
पो0ऑ0-आई0पी0ई0, कौलागढ़ मार्ग
देहरादून-248195

दिनांक 6 मार्च, 2024

सेवा में,

लोक सूचना अधिकारी
भारतीय वन सर्वेक्षण
कौलागढ़ मार्ग, देहरादून।

विषय:- RTI under the Right to information Act, 2005.

संदर्भ:- पत्र संख्या:-13-7/2023-आर0टी0आई0-4218 दिनांक 05.03.2024.

महोदय,

उपरोक्त विषय के संदर्भ में सूचित किया जाता है कि Shri Kumar Kalbande, Maharashtra के आर0टी0आई0 आवेदन पत्र संख्या:-Registration No. FSOID/R/E/24/00032/1 दिनांक 04.03.2024 तथा Registration No. FSOID/R/E/24/00033 दिनांक 04.03.2024 के द्वारा मांगी गई सूचना के संबंध में कहना है कि संबंधित मामला विचाराधीन है।

भवदीया,

(सविता)

(सविता सेमवाल)
सहायक निदेशक (का0 एवं प्रशा0)