

ACTION HISTORY OF RTI REQUEST No.FSOID/R/T/24/00018/1

Applicant Name Kumar Kalbande

Text of Application Respected CPIO MOEFCC New Delhi FSI has already submitted its reply that they have nill information when you transferred the RTI. n email is submitted regarding NHRC case to Honble Secretary MOEFCC. However, I am facing extreme financial situation. I may die as I have done have any money left in my salaried bank account. Further, Ministry did not conduct any inquiry . Please do not mock my disability and financial condition even after knowing the all the details. Please be sympathetic. I need money to take immediate treatment. No government employee should be denied of medical. Under Life and Liberty of RTI Act 2005 Please provide me following 1) True copies of further correspondence/action initited on the email attached 2) True copies of all the related documents including Notesheet I am ready to pay legal charges

Reply of Application please find attachment as information against your RTI. As 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. In the absence of suitable documents, the public authority will not consider your RTI application under life and liberty clause.

SN.	Action Taken	Date of Action	Action Taken By	Remarks
1	RTI REQUEST RECEIVED	27/03/2024	Nodal Officer	FSOID/R/T/24/00018
2	REQUEST FORWARDED TO CPIO	27/03/2024	Nodal Officer	Forwarded to CPIO(s) :
3	REQUEST DISPOSED OF	28/03/2024	Kamal Pandey- (CPIO)	

Print



Regarding your letter no File No 17-11/2023-F E(E-216510) dated 19/2/2024 for email subjected to Refusing to allow me to join Kolkata Violations of RPWD Act 2016 Denial of Subsistence Allowances by DG,FSI,Dehradun

1 message

Kumar Kalbande <kumarkalbande@gmail.com>

Fri, 23 Feb, 2024 at 12:21

To: secy-moef@nic.in, birbalmeena.69@gov.in, abhay.78@gov.in, adgwl-mef@nic.in, Public Grievance <pg-mefcc@gov.in>, mefcc@gov.in

To,
Secretary Shiva
MOEFCC
IP Bhavan
New Delhi

Subject:- Regarding your letter no File No 17-11/2023-F E(E-216510) dated 19/2/2024

Through Proper Channel

Respected Mam,

The undesigned beg to state that the reply has been given by Ministry almost after 2 months since the advance requested for medical emergency through email dated 21/12/2023. The reply given by FSI is without any facts and contradicting their own information given under RTI.

- a. FSI did not give me single opportunity to join to Kolkata unless Hon'ble Chief Commissioner for Person with disabilities asked them the reports of the same. Till date FSI could not able to produce the records of asking for joining before disability happened to me. The same is written in minutes of meeting my disability case at CCPD.(Annexure) Further, not a single letter is served to me on official address by FSI Dehradun and their other offices. After 2.5 years, FSI started making records and only records, did not gave me any relief in reality.
- b. Regarding reliving order, an RTI FSOID/R/E/22/00104 was filed to obtain information. **FSI told that they did not have any receipt of said relieving order delivered to me.** Further, Please refer to Annexure 8, FSI submitted to Hon'ble CAT, Shri Kalbande was relived and speed post was sent to his quarter. Later, through RTI information is obtained through letter Letter No E-417-06/239 dated 12/7/2022. It is evident that FSI has submitted false Affidavit at Hon'ble CAT court. **Till this date I have not received any reliving order through channel through office of FSI.**

The LPC issued was with recovery of 7 lakhs rupees with submission that Shri Kalbande was allowed to join Kolkata in 12 days on 22/11/2021. **It is also mentioned that it was handed over to me whereas I was already trespasser by 17/8/2021 so LPC issued contradicts with their trespassing order.**

It is again false information that I am unauthorisedly absent since 4/12/2020 to 30/7/2021. As per my salary bank statements, there is no salary drawn on 30/7/2021. By evidence, I am unauthorisedly absent on reliving day who was already relived for filed work of Ujjain District. **A person can not be relived twice from same office without first joining for sake reliving.**

Further, I reached to Nagpur in order to obey transfer order and handover charges of Store Library FCM to quickly to join Kolkata but I was denied to handover the charges by trespassing me in my office and office charges are still with my possessions as handing over has not taken place. I still have no idea of unauthorised recovery drawn by office which is 7 lakhs rupees.

- c. Regarding Ramp Walk and Disability Toilet, RD FSI Kolkata has offered me Guest House at 3rd Floor for transition and her entire office is on 2nd floor. The ramp was inaccessible for all 3 days as 4 Wheeler was parked in front of ramp. The Room on ground floor is inaccessible for Divyang as it has three stairs and it's a store room without any window and ventilation and was never part of office and was locked all three days. **Now the letter is in contradicts in itself.** FSI was informed for non functional lifts many times. And FSI submission for repair work of lift proves that lift is non functioning which violative of RPWD Act 2016. Since

2019, Lift is getting repaired now also indicates that the office was never compatible for Divyang person whole time since my disability. But FSI put me through harassment intentionally twice. Along with repair of lift, FSI was asked for Disability Assistance at their offices. It was denied repeatedly. Not a single wheelchair with assistance is provided at any offices of FSI. As I have travelled without disability assistance, i caught in an accident. **The entire atrocities was caused by FSI negligence and unsympathetic approach to Divyang Person.**

It is also mentioned that as FSI has been relieved and Shri Kalbande has not joined the place of posting, so question of subsistence allowances does not arise. Now your kind attention is invited to following facts

Please refer to Annexure 11. It is daily order sheet for departmental inquiry. The DE was on 22/12/2023 where Shri Bahera did a backdated sign 2/11/2023 and where other 2 IFS officer refused to put dates. It is crystal clear from the said records that I am present in DE. So, If I am present in Inquiry the claim of of FSI that I am unauthorisedly absent appears to be false and unauthorised. **If I am present in the departmental inquiries and I am not suspended, it means FSI is not paying me my salary which is violative of Article 21 of India which attracts CCS CAA rules by stopping Government Servant salary who is Divyang.** That's also attracts Violation of RPWD Act 2016.

The matter related to Divyang person may have been inquired by Grievance Redressal Officer MOEFCC (Section 24 of RPWD Act) and Liasoning Officer For Disabled Person in your Ministry. You may Please provide me referral and Notesheet in this regards.

Further as per FR 12, No one is entitled to get posted on my post however as per RTI information received, DG FSI has already promoted and posted another JTA on my place and currently when i joined there there was no post of Divyang Person which is not my fault.

As per records made available by FSI through RTI submitted by me, the submission given to you is misleading and without any facts. I have obeyed the order many times. Earlier FSI stated that I have never joined Kolkata which changed to that i went to Kolkata for joining.

I am still willing to join office. If FSI could transfer the post to Kolkata (Where there is no vacant post of JTA) the same can be transferred to Nagpur which is also as per RPWD Act 2016 and OM of DOPT dated 8 December 2022 for which Hon'ble Commissioner of CIC has given you directions. As I am dependent on my mother due to my benchmark Locomotor Disability. Further my mother and father are senior citizens too.

As a Obedient Divyang Central Government Employee, I have obeyed Court Order and DG FSI Order even without proper reliving and without any money due extreme financial harassment done by FSI in unauthorised manner. I have already submitted my representation on 20th February 2024.

Your kind attention is invited to 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.

As per SOP mentioned in above OM, No central Government Employee is entitled to unauthorisedly absent for more than 10 days.

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.

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 Disiplinary 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."

It is crystal clear that in order to appear for the inquires for unauthorised absence/ not joining, I supposed to be suspended to be proceed the inquiries. Please refer to Annexure A62 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.

Through FSOID/R/E/23/00096/1 dated 14/11/2023, FSI stated that there is no record of Kumar Kalbande JTA attendance.

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.

To further surprise, DG FSI Dehradun has issued letter No 13-12/2021-Admin-1449 dated 27/8/2021 to Shri Bahera RD FSI Nagpur to issue the salary on 27th August 2021 and for the same I have applied for leave as 15 EL 10 HPL and 7 Casual Leave credited on 1st July 2021 along with increment. But RD FSI CZ Nagpur has disobeyed the order time and again, for his personal vengeance and alleged denial of sexual favours, he planned to put me through extreme financial harassment in order to kill me.

I requested my attendance for attending inquires but it was denied by FSI.

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 such as salary etc. by invoking the principle of no work no pay. Law is well settled that the principle of 'no work no 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.

Further DG FSI Dehradun has violated FR 12 i by appointing JTA on my transferred place at FSI, Kolkata.

Please Refer to Annexure 13, The Competent ie Appointing Authority is entitled to implement the FR 17 Rule in case employee is wilfully absent from duties and deserting post.

My appointing authority/ Disciplinary Authority is Director General Forest Survey of India Dehradun. Now, please refer to Annexure 14 Letter No 7-4/2010-Admin-460 dated 26/2/2021, My appointing authority has ordered to release the salary.

I am astonished that without authority, Shri Bahera Ex RD FSI Cz Nagpur has stopped the salary without even intimation or approval of appointing authority.

A detailed Inquiry would reveal the facts about submission made by FSI and your current letter has no fact verified as information submitted by FSI is contradicting their own information received through RTI.

Please refer to Annexure 10. Only 600 Rupees are left in Salaried Bank Account as on 1/1/2024. So I can not able to buy medicines, forget about buying flight tickets to me and my disability support in order to join Kolkata.

Since you are directing me to join Kolkata Office, It is already submitted that I went to join and it was contempt of court made by FSI by not allowing me join and not allowing me to handover charges.

Further, I am not suspended means I am entitled for salary which has been stopped unauthorisedly by FSI without following SOP laid down by DOPT as I am regularly present in inquiries.

Emergency medical fund should be given for my treatment first on immediate basis which you have no mentioning in your current letter and you are already aware that I have plaster on my left hand as two under secretary of MOEFCC were present in CIC hearings on 7th February 2024.

Your office did not take cognisance of following

1. My certificates and other belongings kept illegally by RD FSI CZ Nagpur
2. OM No 43011/35/2022-Estt(Res-II) dated 8/12/2022 is pending
3. Compatible and Barrier Free Disability Constructions for Divyang Person
4. Disability Support Under Section 38 of RPWD Act 2016
5. Pendency on **Letter K-14011/22/2018-UD Desk(C No 9043877) dated 18th May 2022**
6. **Unauthorised reliving & extremely malafide and illegal chargesheet which are getting inquired under vigilance by Ministry of Environment. (Annexure 13)**
7. **Pending Preliminary Inquiry Reports of Deputy Director General IRO MOEFCC Nagpur dated 28/10/2021(pending since 2.4 years)**
8. **OM No A-24011/8/2022-Estt(L) dated 8/2/2023 pending since 1 year(Annexure 14)**
9. **Please allow me to receive NOC LPC Reliving Order at FSI Nagpur, relive my salary for July 2021 as per JD FSI Dehradun order and Transfer Travelling Allowance as I have only 600 rupees in my account.**

This may be treat urgent, any loss of life, any disability caused due to stopping medical allowances even after obeying court order DG Order of transfer would be irreversible loss. FSI has been attempting the same from almost 3 years and hence I am requesting you sympathetic approach towards my case.

Whereas, there was no Inquiry conducted by competent authority and neither I have given any chance and Ex parte decision was taken by FE division which against principal of natural justice. I am ready for inquiry whenever requested. so i am requesting you to kindly inquire the matter and please provide me medical funds immediately.

This is for your required concern and necessary action.

Yours Faithfully
Kumar Kalbande

Copy to

1. Hon'ble Chief Commissioner for Person with Disbalities, CCPD, New Delhi
2. Hon'ble Dr Muley, Member, NHRC, New Delhi
3. Hon'ble Chairperson, NCBC, New Delhi
4. Hon'ble Bhupendra Yadav Jee, Hon'ble Minister of MOEFCC, IP Bhavan, New Delhi
5. ADG FE, MOEFCC IP Bhavan New Delhi
6. DIG FE, MOEFCC IP Bhavan, New Delhi
7. Shri Birbal Meena, Under Secretary, FE, MOEFCC IP Bhavan New Delhi
8. Grievance Redressal Officer(Disability) MOEFCC IP Bhavan New Delhi(for necessary action)
9. Liasoning Officer Disability MOEFCC IP Bhawan New Delhi

फ.सं17-11/2023-एफ ई (ई - 216510)
 भारत सरकार/Government of India
 पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
 Ministry of Environment, Forest & Climate Change
 (वन स्थापना अनुभाग/Forest Establishment Division)

इंदिरा पर्यावरण भवन,
 Indira Paryavaran Bhawan
 छठे तल, जल स्कंध, अलीगंज, जोरबाग रोड,
 6th Floor, Jal Wing, Aliganj, Jorbagh Road
 नई दिल्ली/New Delhi -110003
 दिनांक : 19.2.2024.

To,
 Sh. Kumar Kalbande (Email: kumarkalbande@gmail.com)
 JTA, FSI, Nagpur
 (Through Regional Director, FSI Nagpur)

Subject: Representation of Sh. Kumar Kalbande received via email dt. 21/12/2023-reg.

Sir,

I am directed to refer to your representation dated 21.12.2023 on the subject mentioned above and to say that your representation has been examined in the Ministry in consultation with FSI, Dehradun. Your representation is for following issues (a) Refusing to allow me to join Kolkata (b) Violations of RPWD Act 2016 and (c) Denial of Subsistence Allowances by DG, FSI, Dehradun.

2. Accordingly the following is submitted:

- FSI vide letter no. 13-15/2022-Admin-Part3348 dt. 04/01/2024 (A-I), has communicated that, Shri Kalbande has been given many opportunities to report for duty to FSI, Kolkata.
- Shri Kumar Kalbande was relieved from duty on 30.07.2021 vide FSI Central Zone, Nagpur Office Order no. 35 dt. 30.07.2023 (A-II) and LPC was issued vide LPC no. E-426-2009/Part-2/634 dt. 22/11/2021 (A-III). As per the LPC, "2. He has been paid upto the period 01/12/2020 to 31/12/2020 at the following rates, after that he has remained absent unauthorisedly from duty till 30/07/2021 (date of relieve)".
- The FSI has also informed in one of its communications that, "2. The Ramp and wash room facilities are available as per the requirement specification in Ground Floor. Further, one suitable room is also available for attending office on ground floor. Maintenance work of the installed lift is under progress by CPWB."

3 The FSI, Nagpur had issued relieving order dated 30.7.2021 and LPC dated 22.11.2021 to Shri Kumar Kalbande, stating that after joining the new place of posting all claims will be entertained by new Office where in the posting is given. The matter of

Subsistence Allowances does not arise, as the employee has been relieved and yet to join the new place of posting. As per records made available by FSI, *pram facia* there is no violation of RPWD Act 2016.

4 In view of above, Shri Kumar Kalbande is hereby asked to report for duty without any further delay with prior intimation to FSI, Dehradun and FSI, Kolkata and in case of facing any difficulty in entering/joining office, as claimed by him, he may contact Regional Director, FSI, Kolkata and O/o DG, FSI Dehradun under intimation to FE Division. Shri Kumar Kalbande may please note that his absence after relieving from FSI, Nagpur may attract the provisions as per applicable CCS (Conduct) Rules / CCS(CCA) Rules.

5. This issues with the approval of competent authority.

Yours faithfully,



(B.R. Meena)

Under Secretary to the Govt. of India
 Tel. No. 011-20819272

Copy to: The DG, FSI, Dehradun



Final Status of FSOID/R/E/23/00104

Applicant Name	Kumar Kalbande
Date of receipt	04/12/2023
Request Filed With	Forest Survey of India, Dehradun
Text of Application	<p>To,</p> <p>CPIO FSI EZ Kolkata</p> <p>Please find the attachment. As per letter, it is mentioned that Please refer to reliving order no 35 dated 30/7/2021.</p> <p>In this regards, under RTI Act please provide the following information</p> <p>1) Provide me copy of receipt of reliving order received to Shri Kumar Kalbande, JTA, FSI Nagpur</p> <p>2) Please provide me video footage of cctv of 29th And 30th August 2021 at your office.</p> <p>3) Please provide me copy of further necessary correspondence/action on complaint made Shri Kalbande for unauthorised LPC issued (ie person can not be unauthorised absent on date of reliving and last pay day should be on day of reliving)</p> <p>I am ready to pay legal charges</p> <p>Since the joining is requested immediately it is requested to provide said information earliest otherwise it accounts for harm to me.</p>
Request document (if any)	
Status	REQUEST DISPOSED OF as on 28/12/2023
Date of Action	28/12/2023
Remarks	<p>Reply :- The information asked by the applicant is completely based on personal interest and it has no relationship to any public activity or interest hence it is exempted from disclosure of information as per RTI Act 2005, Chapter-II Para 8 (j). Although you have provided the following information:</p> <p>1) Provide me copy of receipt of reliving order received to Shri Kumar Kalbande, JTA, FSI Nagpur.</p> <p>Info :- No such document available with this office.</p> <p>2) Please provide me video footage of cctv of 29th And 30th August 2021 at your office.</p> <p>Info :- CCTV footage not available.</p> <p>3) Please provide me copy of further necessary correspondence/action on complaint made Shri Kalbande for unauthorised LPC issued (ie person can not be unauthorised absent on date of reliving and last payday should be on day of reliving)</p> <p>Info :- This office has received LPC from F.S.I. CR, Nagpur. This office has no further information regarding this matter.</p>

[Print](#)

Annexure 3

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



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

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

F.No. Misc-111/RON/2021-NGP/8373

Dated: 29th July, 2021

To,

Shri Chaturbhuj Bohera,
Regional Director,
Forest Survey of India,
CGO Complex, Seminary Hills,
Nagpur-440008.

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

**Ref: (i) This office letter of even number dated 08.07.2021.
(ii) Your Letter No. 6-9/05/C/Vol.V/303 dated 27.07.2021**

Sir,

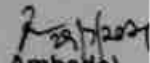
Kindly refer to the letter under Reference (i) wherein a point-wise written statement was requested from your side on the allegations made by Shri Kumar Kalbande, JTA, FSI, Nagpur with respect to which a reply has been received in this office vide letter under Reference (ii). After careful scrutiny,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

- (i) Defaming integrity of Shri Kumar Kalbande 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 ensure the same.
- (iii) Refusing the Complainant to join at Headquarter.
- (iv) Denying him Medical Advance in case of Emergency when he was Hospitalized in the wake of COVID-19.
- (v) Denial of medical leaves to Complainant in lieu of harassment charges.
- (vi) Mr. Kumar joined office on 12.04.2021 and marked the attendance for same which was crossed by RD in attendance register.

- (vii) Refusal in proving Field Work Orders to the Complainant and giving orders verbally for the same.
- (viii) The Complainant was directed to submit a letter requesting his belongings back such as Identity Card, NRSA, IIRS Certificates and other necessary items while upon RD's directions dispatch section is not accepting any paper from the Complainant.
- (ix) Refusal for meeting Complainant and his Father time and again.
- (x) Harassing Late Shri Satish Borakar, SDM at Forest Survey of India, Nagpur.
- (xi) Joining at Office by Regional Director only after a week of being COVID Positive.
- (xii) Disobeying current Director General's Orders and humiliating Ex-Director General.
- (xiii) Keeping Lawyer over 65 years of age at work for handling drafting and legal matters by paying him skilled labour salary against Labour Act.
- (xiv) 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)
Regional Officer,
Integrated Regional Office,
Nagpur.

*Recd huf
29/7/21*

— OC —
DESPATCHED
29-07-2021



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
apccfcentral-ngp-mef@gov.in

F.No.Misc.111/RON/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,
Aliganj, 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/RON/2021-NGP/8251 dated 8th 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/RON/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.

2

Shri Behera, RD also stated in his reply that he was not diagnosed COVID Positive as contrary to the allegation of Shri Kumar Kalbande in his Complaint dated 12.04.2021.

It has been specifically mentioned in the written statement that due to his habitual unauthorized absence, an excess payment has been made to the Official for which the Audit has calculated and recommended a recovery of Rs. 7.08 lakhs. A copy of the same is annexed herewith as **Annexure-7**.

9) Since in his Complaint certain allegations were also made by Shri Kalbande against Shri B.H. Naik, Assistant Director, FSI, Nagpur, he was instructed to visit IRO Nagpur on 12.08.2021 vide Letter No. Misc-111/RON/2021-NGP/8446 dated 10.08.2021 (**Annexure-8**) to submit his statement over the allegations made against him. Simultaneously, Shri Kumar Kalbande was also instructed to visit this Office to attend hearing regarding the matter in presence of Assistant Director, FSI & Regional Officer, IRO Nagpur.

Accordingly, Shri B.H. Naik & Shri Kumar Kalbande visited this Office on 12.08.2021 and after attending the inquiry submitted their written statements against allegations. Copies of the same are annexed herewith as **Annexure- 9**.

10) In response to Shri Behera's 2nd written statement, this office vide its letter dated 27.08.2021 (**Annexure- 10**) had sought certain documents from him which were found missing during the scrutiny of the statement, namely (i) Copy of the Office Order for constitution of Committee for examination of unauthorized absence of Shri Kalbande; (ii) Copy of the Committee Report & (iii) Copy of the Office Order issued to Shri Kalbande for grant of "Dies Non" leave with no salary admissible. But the relevant information/documents has not submitted by the regional Director, FSI, Nagpur.

11) After going through RD's written statement, the Complainant again submitted his clarifications regarding unauthorized recovery and Dies-non vide his letter dated 27.09.2021 (**Annexure-11**) wherein he has stated that no official communication was made to him regarding Recovery for unauthorized absence or Dies-Non. The only communication in respect of unauthorized absence received by him was for period 07.12.2020 to 15.12.2020 which became regularized thereafter. In the aforesaid letter, the Official once again alleged Shri Behera, RD, FSI, Nagpur of malpractices and his malice intention to harass the Official financially and mentally.

12) Even after sending reminder to Shri. Chaturbhuj Behera, Regional Director, FSI, he has not provided the details of committee constituted for examination of unauthorized absence/late arrival /early departure of Shri. Kumar Kalbande, JTA.

13) After going through the above document/written statement of Shri. Chaturbhuj Behera, Regional Director and Shri. Kumar Kalbande, JTA, the undersigned is submitting his observations as under:



- a) The Regional Director, FSI, is framing charges on Mr. Kumar Kalbandhe, JTA with the collective document from December, 2020 to April, 2021.
- b) The previous Regional Director vide letter No. F-426-2009/101 dated 29.01.2019 issued a formal letter to Mr. Kumar Kalbandhe, JTA for his absence/analysis of attendance.
- c) The present Regional Director, FSI, Nagpur constituted the internal committee during March, 2021 for examining the details of attendance of Sh. Kumar Kalbande, JTA for the period February, 2019 to December, 2020. It is pertinent to mention that for the period mentioned, Sh. Kumar Kalbande was not working under Shri. Chaturbhuj Behera, Regional Director.
- d) The Regional Director, FSI, Nagpur vide his letter No. E-426-2009/814 dated 20.01.2021 obtained work report for May, 2009 to December, 2020 of Shri. Kumar Kalbande, JTA from Shri. B.H. Naik, Assistant Director which seems to be an act of digging out the old cases for collection of records against Shri. Kumar Kalbande, JTA.
- e) Shri. Kumar Kalbande stated that he was allotted Forest Cover Mapping work mostly since his joining at FSI and hence the question of field work related to Forest Inventory does not arise. Forest Cover Mapping work also involve field visit for ground truthing, which he has always done.
- f) The Regional Director is the Zonal Incharge and he is delegated with the power to regularize the leave of employee under his control. Therefore, the question for constitution of committee for verification of leave/absence of past period does not arise as well.
- g) On the basis of the committee report dated 16.03.2021 the Regional Director, FSI, Nagpur has granted dies-non leave for the past period from February 2019 to December, 2020 and imposed recovery of Rs. 7,08,154/- (Rs. Seven Lakh Eight Thousand One Hundred Fifty Four Only) through Local Audit Party -I, Office of the Director General, Mumbai.
- h) The present Regional Director joined FSI, Nagpur during December, 2020 while the period of dies-non leave, as mentioned in statement, is from February 2019 to December, 2020. The normal practice is that present Incharge does not review/open the previous issues related to disbursement and salary.
- i) During the enquiry Shri. Kumar Kalbande, JTA told that he had already given the reply of "Sexual Harassment" case and competent authority may take action on this issue. But the Regional Director inter connect the said issue with other issues.

2

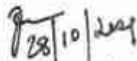
- j) For granting of "Dies-non" leave there is no communication made with Sh. Kumar Kalbande nor issued "Show Cause Notice" if any for obtaining the clarification/reply from Sh. Kumar Kalbande, JTA . Hence the recovery imposed of Rs. 7,08,154/- (Rs. Seven Lakh Eight Thousand One Hundred Fifty Four Only) is not justified.
- k) It is observed that the allegation made by the Regional Director on Shri. Kumar Kalbande, JTA are on the basis of collective documents.
- l) Shri. Chaturbhuj Behera, Regional Director, Forest Survey of India, Nagpur has not solved the said issue at his level, therefore, the Shri. Kumar Kalbande approaches to the higher authority.
- m) As per the recommendation of Shri. Chaturbhuj Behera, Regional Director, Forest Survey of India, Nagpur Sh. Kumar Kalbande, JTA already transferred from Nagpur to Kolkata.

In view of the above it is observed that Shri. Kumar Kalbande, JTA has not given chance to submit his grievance before the Regional Director, FSI, Nagpur and the Regional Director, FSI, Nagpur has taken ex-parte decision and imposed recovery of Rs. 7,08,154/-. The Regional Director failed to follow the Principles of Natural Justice, as he did not hear the Complaint before imposing recovery which is against 'Audi Alteram Partem' Principle enshrined in Article 14 of the Constitution of India (i.e., Right to Equality). Therefore, proposed recovery of Rs. 7,08,154/- (Rs. Seven Lakh Eight Thousand One Hundred Fifty Four Only) is made without any proper inquiry and is liable to be set aside.

The Complainant's grievances related to salary since January, 2021, his medical bills, etc. have not been addressed, so far, by FSI. It needs to be settled on priority basis.

If Complainant is at fault, proper inquiry should be initiated against him and if found guilty, he must be punished as per rule.

Yours faithfully,


(V.N. Ambade)
Regional Officer

Encl :As above

Annexure 5

Letter No 6-1/2022-FE dated 28/07/2022

No. 6-1/2022-FE
Government of India
Ministry of Environment, Forest & Climate Change
Indira Paryavaran Bhawan,
6th Floor, 'Jal Block', Jor Bagh Road,
New Delhi-110003

dated 28th July, 2022

To,
Director General,
Forest Survey of India,
P.O. IPE, Kaulagarh Road,
Dehradun - 248195.

Sub: - Regarding grievances of Shri Kumar Kalbande, JTA.

Sir,

I am directed to forward herewith copy of following representations from Shri Kumar kalbande, JTA -

i) email communication dated 31st March, 2022 received from Shri Kumar Kalbande, Junior Technical Assistant, Forest Survey of India addressed to ADG(FC), MoEF&CC, New Delhi,

ii) O.M dated 17th March, 2022 received from ROHQ Division of the Ministry forwarding a complaint of Shri Kumar Kalbande, Junior Technical Assistant, Forest Survey of India, Nagpur, addressed to the Hon'ble MEF&CC regarding various issue related to his service in FSI, Regional Office, Nagpur.

iii) Also, the action taken by FSI, Dehradun on the preliminary report dated 28.10.2021 on the alleged injustice and harassment to Shri. Kumar Kalbande. JTA.

2. It is, therefore, requested to take necessary action as per extant rules under intimation to this Ministry.

Encls:- As above

(sent via e-mail)

Yours faithfully,



(Ramesh Kumar)
Under Secretary to the Government of India
Tele No. 20819277

✓
Copy to - Shri Kumar Kalbande, Qtr No. 1 Type 4 CPWD Block 66, Opposite to IBM Civil Lines, Nagpur, Maharashtra - 440001.

Diary No. 08-09-21
Date

क्र० ई० 426-2009/449
भारत सरकार
भारतीय वन सर्वेक्षण
केन्द्रीय अफिस, सी.जी.ओ. काम्प्लेक्स,
ए ब्लॉक, सेमीनरी हिल्स, नागापुर-6.

दिनांक: 06.09.2021

सेवा में,

महानिदेशक,
भारतीय वन सर्वेक्षण,
कौलागढ़ मार्ग,
देहरादून।

JD/PR
R

विषय: Regarding blank/unsigned relieving order and not getting transfer order by FSI, Dehradun.

महोदय,

उपरोक्त विषय पर आपके दिनांक 16 अगस्त, 2021 के पत्र सं० 7-4/2010-प्रशा० 1366 के संदर्भ में आपको सूचित किया जाना है कि :-

1. इस कार्यालय से स्थानांतरित कर्मचारियों को दिनांक 30.07.2021 को ही कार्यमुक्ति आदेश जारी कर दिया गया था।
2. प्रत्येक को कार्यमुक्ति आदेश की तीन-तीन प्रतियाँ जारी की गई थीं। श्री कुमार कालबाड़े, क०त०स० की दो प्रतियाँ हस्ताक्षरित थीं केवल एक प्रति में अनजाने से हस्ताक्षर छूट गया था। उनके घर के पते पर हस्ताक्षर की हुई प्रति भेजी गई थी। पुनः कार्यमुक्ति आदेश एवं स्थानांतरण आदेश दिनांक 09/08/21/10.08.2021 को ई-मेल से भेजा गया था।
3. दिनांक 30.07.2021 को कार्य दिवस था।
4. मुख्यालय, भारतीय वन सर्वेक्षण, देहरादून द्वारा श्री कुमार कालबाड़े को व्यक्तिगत स्थानांतरण आदेश कब भेजा गया था इसकी जानकारी इस कार्यालय को नहीं है। किंतु इस कार्यालय से ई-मेल एवं डाक द्वारा कार्यमुक्ति आदेश और स्थानांतरण आदेश दोनों भेजा गया है।

श्री कुमार कालबाड़े, क०त०स० हमेशा से इस तरह के विवादित गतिविधियों में लिप्त रहें हैं। स्थानांतरण आदेश को भी उन्होंने कोर्ट में चुनौती दी है (O.A.No.514/2021 dated 13.08.2021) जहाँ से उन्हें कोई राहत नहीं दी गई है, यह फील्ड में नहीं जाने हेतु बहाना मात्र है।

Pl. put up.

DD(P&A)

31/9

भवदीय,
Chakraborty
6/9/21
क्षेत्रीय निदेशक

H Esit 92

P.S. Newar

No. E-417-06/ 239
GOVERNMENT OF INDIA
FOREST SURVEY OF INDIA
Central Zone, CGO Complex
Block'A', Seminary Hills, Nagpur- 440 006

Date 12/07/2022

To.


Shri Kumar Kalbande
Qtr No.1, Type 4
CPWD Block 66
Opp. IBM, Civil Lines
Nagpur-440 001

Subject: First Appeal under Registration No.FSOID/A/E/22/00010 dated 06/06/2022 under RTI Act,2005-reg.

With reference to Shri Kumar Kalbande's above cited First Appeal (received in this office on 13/06/2022, against reply dated 27.04.2022 given by the CPIO against his RTI application under Registration No. FSOID/R/T/22/00005/1 dated 01.04.2022, he is informed that Reliving Order No.35 dated 30.07.2021 in respect of Shri Kumar Kalbande, 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 relieving order dated 30.07.2021 is forwarded herewith again for his information.

Encl: As above.


(H. Venuprasad)
First Appellate Authority &
Regional Director

Annexure 8

Annexure 17 CAT Submission

- 73 -

Bombay, Nagpur Bench, Nagpur. But this Hon'ble Tribunal inevitably needs to perceive through the Applicant's nefarious mindset. It is submitted that the Hon'ble High Court has outrightly dismissed the W.P. No. 3769/2021 filed by the Applicant wherein the Applicant challenged this Hon'ble Tribunal's Order dated 28/07/2021 in OA No. 514/2021 with regard to his prayer for interim relief.

The Respondents submit their para-wise reply to the Applicant's OAs as under:

1. **AS TO PARA 1:** The contents of this para are partially correct to the extent that the Applicant has been transferred from FSI, CZ, Nagpur to FSI, EZ, Kolkata by the DG FSI, Dehradun's Order issued vide Letter No. 7-4/2010-Admn./1224, dated 30/07/2021 which has been annexed by the Applicant himself as **ANNEXURE A/1** along with the instant O.A. But it is strongly, vehemently and emphatically refuted and denied that the said Transfer Order dated 30/07/2021 was not officially communicated to the Applicant either by hand or through electronic communication.

It is submitted that the Applicant was transferred from FSI, Nagpur purely on **administrative grounds and in the public interest**. The Applicant was relieved from FSI Nagpur on the same day vide Respondent No. 4's Order No. 35, dated 30/07/2021. Both the transfer as well as the relieving orders of the Applicant were

communicated to the Applicant via e-mail on 09/08/2021 and 10/08/2021. It is annexed herewith as **ANNEXURE R-1**. The same were sent by the Speed Post also but as usual, the Applicant has the habit of refusing to take delivery of any official letter sent by Post/Speed Post and the same was returned undelivered.

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

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

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

4(a). **AS TO SUB-PARA 4(a):** The contents of this sub-para pertain 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 are 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

High Court's order dated 27/10/2021 is annexed herewith as
ANNEXURE R-8.

NAGPUR,

DATED: 31/03/2022.

Ch. Bhuja
31/3/22
RESPONDENT NO. 4

Sushma
(SUSHMA)
Counsel for Respondents,
Senior Panel Counsel,
CAT Mumbai, Circuit Bench at Nagpur.

Regional Director
Forest Survey of India,
Central Zone, Nagpur

VERIFICATION

I, Chaturbhuj Behera, IFS, aged about 54 years, Occupation: Regional Director, Forest Survey of India, Central Zone, Nagpur, the Respondent No. 4 hereinabove, do hereby take an oath and state in solemn affirmation that the contents of the above paras are correct and true to my personal knowledge and belief and are as per the official record. I am authorised to file the reply on behalf of Respondents No. 1, 2 and 3. Hence, verified, affirmed and signed on this 31st day of March, 2022 while at Nagpur.

Ch. Bhuja
31/3/22
(_____)
DEPONENT

Regional Director
Forest Survey of India,
Central Zone, Nagpur

I KNOW AND IDENTIFY THE DEPONENT

Sushma
(SUSHMA)
Counsel for Respondents,
Senior Panel Counsel,
CAT Mumbai, Circuit Bench at Nagpur.

No. E-417-06/ 239
GOVERNMENT OF INDIA
FOREST SURVEY OF INDIA
Central Zone, CGO Complex
Block 'A', Seminary Hills, Nagpur- 440 006

Date 12/07/2022

To,


Shri Kumar Kalbande
Qtr No.1, Type 4
CPWD Block 66
Opp. IBM, Civil Lines
Nagpur-440 001

Subject: First Appeal under Registration No.FSOID/A/E/22/00010 dated 06/06/2022 under RTI Act,2005-reg.

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The copies of the emails sent to him along with a copy of his relieving order dated 30.07.2021 is forwarded herewith again for his information.

Encl: As above.


(H. Venuprasad)
First Appellate Authority &
Regional Director

A/c ID	458102010057855	CCY/CDL ID	INR/45810
A/c Name	KUMAR BHASKAR KALBANDE	Balance	662.64 Cr.
General Ledger Subhead Code	12100	Closing Balance	662.64 Cr.
Opening Balance	40,321.87 Cr.	Funds in Clearing	0.00 Cr.
Float Balance	0.00 Cr.	Effective Available Amt.	662.64 Cr.
Available Amt.	662.64 Cr.	A/c. Opening Date	24-07-2009
Customer Status	999 OTHERS	A/c. Status Date	21-04-2018
A/c. Status	A Active		
Purge Date	23-07-2006		
Address	FLAT NO 185A,BAI AJI APPTS ATRELAAYOUT PRATAJ NAGAR NAGPUR		
City	NAGP NAGPUR	State	MAH MAHARASHTRA
Country	IN INDIA	Postal Code	440022
Phone Type	COMMPH1	Telex No.	
Phone No.	+00957122510432		
Email ID Type	COMMEMAIL		
Email ID	kumarkalbande@gmail.com		

General Ledger Date	Value Date	Instrument No.	Withdrawal Amt.	Deposit Amt.	Balance	Narrative
02-01-2024	01-01-2024			5.00 Cr.	667.64 Cr.	458102010057855 Int Pd:01-10-2023 to 31-12-2023
21-12-2023	22-12-2023		58.00 Dr.		609.64 Cr.	SB MINBAL CHGS
01-10-2023	01-10-2023			5.00 Cr.	614.64 Cr.	458102010057855 Int Pd:01-07-2023 to 30-09-2023
21-09-2023	22-09-2023		29.50 Dr.		585.14 Cr.	SB MINBAL CHGS
11-09-2023	11-09-2023		236.00 Dr.		349.14 Cr.	General Charges Recovery
02-07-2023	01-07-2023			7.38 Cr.	356.52 Cr.	458102010057855 Int Pd:01-04-2023 to 30-06-2023
21-06-2023	23-06-2023		29.50 Dr.		327.02 Cr.	SB MINBAL CHGS
04-04-2023	01-04-2023			7.00 Cr.	334.02 Cr.	458102010057855 Int Pd:01-01-2023 to 31-03-2023
12-03-2023	12-03-2023		17.70 Dr.		316.32 Cr.	SMG Charges for March 2023 Quarter
03-01-2023	01-01-2023			7.00 Cr.	323.32 Cr.	458102010057855 Int Pd:01-10-2022 to 31-12-2022





General Ledger Date	Value Date	Instrument No.	Withdrawal Amt.	Deposit Amt.	Balance	Narrative
04-08-2021	04-08-2021			14,275.00 Cr.	28,111.87 Cr.	NACH/4277818614/BD-IndusIndBan
02-07-2021	06-07-2021			14,275.00 Cr.	42,432.87 Cr.	NACH/3655829932/BD-IndusIndBan
04-06-2021	01-07-2021				58,727.87 Cr.	458102010057855 Int Pd:01-04-2021 to 30-06-2021
18-05-2021	04-06-2021			589.00 Cr.	59,316.87 Cr.	NACH/2912616070/BD-IndusIndBan
04-05-2021	10-05-2021	12147387		14,275.00 Cr.	73,591.87 Cr.	TO SELF
03-04-2021	04-05-2021			14,275.00 Cr.	87,866.87 Cr.	NACH/2027387932/BD-IndusIndBan
06-04-2021	30-04-2021				85,443.87 Cr.	EAI/CRSMS_5042101636677
05-04-2021	08-04-2021			8,700.00 Cr.	94,143.87 Cr.	EAI/CRSMS_5042101636677
05-04-2021	08-04-2021			10,000.00 Cr.	104,143.87 Cr.	NEFT:SWAPNIL YOGENDRA KHOSKAR/0722092
03-04-2021	05-04-2021			14,275.00 Cr.	118,418.87 Cr.	NACH/1434809785/BD-IndusIndBan
01-04-2021	01-04-2021			250.00 Cr.	119,168.87 Cr.	458102010057855 Int Pd:01-01-2021 to 31-03-2021
03-04-2021	03-04-2021			5,000.00 Cr.	124,168.87 Cr.	MOBFT from TARESH SIKANDAR SHEN/1460413
01-04-2021	01-04-2021			5,000.00 Cr.	129,168.87 Cr.	MOBFT from TARESH SIKANDAR SHEN/1460413
22-03-2021	22-03-2021		116.00 Dr.		129,052.87 Cr.	Chrgs rate for DUPLI PASSBOOK INDIVIDUAL
22-03-2021	22-03-2021		5,000.00 Dr.		124,052.87 Cr.	TO SELF
20-03-2021	20-03-2021			23,000.00 Cr.	147,052.87 Cr.	UPIAB/107614709954/CR/RAKESH SHARMA/1460413
20-03-2021	20-03-2021			100.00 Cr.	147,152.87 Cr.	UPIAB/107610209777/CR/RAKESH SHARMA/1460413
17-03-2021	17-03-2021			22,000.00 Cr.	169,152.87 Cr.	EAI/CRSMS_5032100769017
09-03-2021	09-03-2021			9,000.00 Cr.	178,152.87 Cr.	MOBFT from NADA TADI/10581230315
06-03-2021	06-03-2021			9,858.00 Cr.	188,010.87 Cr.	UPIAB/106813126256/CR/ABHINAV KUMAR/1460413
04-03-2021	04-03-2021		14,275.00 Dr.		173,735.87 Cr.	NACH/0648797064/BD-IndusIndBan
20-02-2021	20-02-2021			12,000.00 Cr.	185,735.87 Cr.	IMPSAB/105121670142/UBIN0545811125023429
18-02-2021	18-02-2021			15,000.00 Cr.	200,735.87 Cr.	IMPSAB/104917253945/UBIN0545810962073090
16-02-2021	16-02-2021			10,000.00 Cr.	210,735.87 Cr.	IMPSAB/104720815761/UBIN054581048612007755
04-02-2021	04-02-2021		14,275.00 Dr.		196,460.87 Cr.	NACH/0101591132/BD-IndusIndBan
04-01-2021	04-01-2021		14,275.00 Dr.		182,185.87 Cr.	NACH/3028924147/BD-IndusIndBan
03-01-2021	01-01-2021			660.00 Cr.	182,845.87 Cr.	458102010057855 Int Pd:01-10-2020 to 31-12-2020

Annexure 11

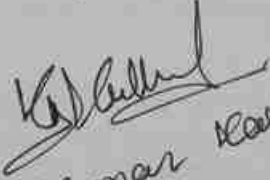
The following Officers were present:

- (1) Shri H. Venuprasad, IFS, Inquiry Officer.
- (2) Shri Chaturbhuj Behera, IFS, RD, CZ, Nagpur (Government Witness No.2)
- (3) Shri Mundhe Arvind Dattu, IFS, Dy. Director-cum- Presenting Officer
- (4) Shri Kumar Kalbande, Charged Officer
- (5) Shri V.M. Deshmukh, Defence Assistant.

The cross examination of Government witness No.2 (Regional Director, CZ, Nagpur) was continued on 02.11.2023 at 11.55hrs in connection with the Charge Sheet issued vide Memorandum of charges No.7-8/2021-Admin-2392 dated 29.04.2022 of the O/o DG, FSI, Dehradun. The Charged Officer submitted Defence documents D-6 to D-16 and completed examining of documents till D-9.

			
(Kumar Kalbande) Charged Officer	(Mundhe Arvind Dattu) Presenting Officer	(Chaturbhuj Behera) RD, CZ, Nagpur Government Witness No.2	(H. Venuprasad) Inquiry Officer
22/11/2023		2/11/23	

This is my humble submission that GW2 has objected on me during inquiry, through object & left the inquiry in middle when I was asking questions on 2nd November 2023 and was not present for 5th November 2023 hence I have already submitted you my representation.


Kumar Kalbande
C.O.
22/12/2023

संख्या:- 13-12/2021-प्रशासन - 1449

भारत सरकार
भारतीय चन सर्वेक्षण
कोलाण्ड रोड,
देहरादून-248195

दिनांक 27 अगस्त, 2021

सेवा में,

श्री कुमार कलबंदे,
कनिष्ठ तकनीकी सहायक,
पूर्वी अंचल,
कोलकता-700106

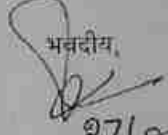
(द्वारा क्षेत्रीय निदेशक, पूर्वी अंचल, कोलकता)

विषय:- अनाधिकृत अनुपस्थिति के दौरान की अवधि के वेतन के संबंध में।

महोदय,

समय-समय पर आपके द्वारा वेतन न दिये जाने के संबंध में विभिन्न स्तरों पर प्रत्यावेदन दिये जा रहे हैं। इस संबंध में क्षेत्रीय निदेशक, केन्द्रीय अंचल, नागपुर से प्राप्त रिपोर्ट के अनुसार आपका वेतन अनाधिकृत रूप से अनुपस्थित रहने के कारण रोका गया है।

अतः अनुपस्थिति की अवधि हेतु आप देय अवकाश के लिये क्षेत्रीय निदेशक, केन्द्रीय अंचल, नागपुर को आवेदन करें जिससे कि आपकी अनाधिकृत अनुपस्थिति को नियमित करके वेतन भुगतान की कार्यवाही उनके द्वारा की जा सके।

भवदीय,

27/8
(सुशांत शर्मा)

संयुक्त निदेशक (का0 एवं प्र0)

प्रतिलिपि:- क्षेत्रीय निदेशक, केन्द्रीय अंचल, नागपुर को सूचनार्थ एवं आगामी कार्यवाही हेतु प्रेषित।

No. 13-6/2024-Admin-1973
Forest Survey of India
Ministry of Environment, Forest & Climate Change
Govt. of India
Kaulagarh Road, PO - IPE
Dehradun - 248195



Date: 14th February 2024

To,

Sh. Kumar Kalbade
Ex CPWD, Type 4, Qtr.1,
Block 66, Civil Lines,
Nagpur, Pin-441302,
Maharashtra-441302

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, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, 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 held 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://fsidehradun.webex.com/fsidehradun/j.php?MTID=me107c02dd6451154a50144020d75b35b>
Thursday, February 22, 2024 11:00 AM | 3 hours | (UTC+05:30) Chennai, Kolkata, Mumbai, New Delhi
Meeting number: 2521 316 6286
Password: 22022024 (22022024 from video systems)
Agenda: **Online Enquiry**
Join by video system
Dial 25213166286@fsidehradun.webex.com
You can also dial 210 4 202 4 and enter your meeting number.
Join by phone
+65-6703-6949 Singapore Toll
Access code: 252 131 66286


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

Copy to :-

- Ms. Subhang 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 (FGD) &
Vigilance Officer, FSI, Dehradun

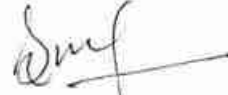
No.A-24011/8/2022-Estt.(L)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi, dated 8.02.2023

OFFICE MEMORANDUM

Subject: - Representation of Shri Kumar Kalbande.

The undersigned is directed to forward representation received through email dated 21.01.2023 from Shri Kumar Kalbande, an employee of forest survey of India, Nagpur, for action as appropriate.



(Sunil Kumar)

Under Secretary to the Government of India

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

Copy to :-Shri Kumar Kalbande, Rathi Lay Out, Laxmi Nagar, Katol Nagour,
Maharashtra - 441302 Email Id : kumarkalbande@gmail.com

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

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

Date: Thu, 21 Dec, 2023, 10:47

Subject: Refusing to allow me to join Kolkata Violations of RPWD Act 2016 Denial of Subsistence Allowances by DG,FSI,Dehradun

To: <secy-moef@nic.in>, <dgfindia@nic.in>, <secyurban@nic.in>, <adgwl-mef@nic.in>, Public Grievance <pg-mefcc@gov.in>, <mefcc@gov.in>, <secywel@nic.in>, <birbalmeena.69@gov.in>, VINOD KUMAR <vinod.69@gov.in>, <secy-labour@nic.in>

To,
Miss Lina Nandan,
Secretary,
Ministry of Environment Forest and Climate Change,
IP Bhavan, New Delhi

Subject:-

1. Refusing to allow me to join Kolkata
2. Violations of RPWD Act 2016
3. Denial of Subsistence Allowances by DG,FSI,Dehradun

Reference:-

1. RPWD Act 2016
2. **OM No 43011/35/2022-Estt(Res-II) dated 8/12/2022**
3. Harmonised Guidelines for Elderly and Divyang Person

Respected Mam,

I, Kumar Kalbande, who is differently abled with 50% benchmark disability has been denied to join office of the Kolkata and I have attempted to join the Kolkatta Office on various occasions ie 30th August 2021 when CAT rejected interim relief. Later I requested DG,FSI,Dehradun that I was not given reliving order so I requested his suggestion in writing to join Kolkata though Email dated 1st October 2022(**Annexure 21**)

However, DG FSI Dehradun has again issued email to buy tickets and acknowledged that I am in paucity of funds. However, I attempted to join through **PNR 8603139551 Tr No 12869 Seat No S1 1 dated 15th May 2023**

Later, I again requested DG,FSI,Dehradun to buy tickets as per his promise but did not and further humiliated divyang person that “ **If you have money to buy food, it means you have money to travel to Kolkatta**”.

I have again obeyed blackmailing of my office in order to start my salary, So I again bought tickets of train **Ticket dated 10/12/2023 Nagpur to Howrah PNR No 8711562051 Tr No 22893 Seat NO S1 4**.

On 11th December 2023 I reached to Kolkata and I was traumatised after reaching to that Office building is at 2nd floor and guest house provided for transit was at 3rd floor and the office lift is not functioning since 2019.

Please find the Police reports, Video recording, GPS tagged Camera Photo and Other necessary witness for the same. (Annexure 5,6,7 & 8)

[https://drive.google.com/file/d/1n7hEdCjLbGQ5b-bFBDuOihl-ZH9VFXL0/view?usp=drive link](https://drive.google.com/file/d/1n7hEdCjLbGQ5b-bFBDuOihl-ZH9VFXL0/view?usp=drive_link)

[https://drive.google.com/file/d/1nCRa7FGx6VrmLNd4Vx-EUu980rnuw703/view?usp=drive link](https://drive.google.com/file/d/1nCRa7FGx6VrmLNd4Vx-EUu980rnuw703/view?usp=drive_link)

I have repeatedly requested of Disability Support Under Section 38 of RPWD Act 2016. Also intimated, lift is not functioning. But, I was denied both. Please find the trailing mail.

It is pertinent to mention that I have received the information from FSI, Kolkatta that there are no vacant post of JTA as both JTA post are occupied. Please refer to Annexure 17 & 18.

Further, all the post has been transferred to FSI Nagpur and Nagpur has total 23 vacant post of JTA as per latest **Letter No 417-06/655 dated 19/10/2023. Annexure 18.**

It is evident from the fact that FSI is not interested in letting me join anywhere hence DG FSI Dehradun did not take cognisance of unauthorised trespassing order issued by Shri Bahera through Letter No E 157-74/Vol 17/412 dated 17/08/2021.

Despite of **Letter K-14011/22/2018-UD Desk(C No 9043877) dated 18th May 2022 from Secretary, Ministry of Housing and Urban Affairs, FSI continue to be unsympathetic to Divyang Person and did not provide the harmonised guidelines for Divyang Person.**

I attempted to climb but it caused me hurt and I decided to return back on third day ie on 13th December 2023 through **Ticket dated 13/12/2023 Howrah to Nagpur PNR NO 6429248258 Tr No 12810 Seat NO S3 1. I, Divyang Person, has reached to FSI CZ Nagpur to report the incident but I was denied to submit my report and refused to let me meet available authority by showing me trespassing order through letter no Letter No E 157-74/Vol 17/412 dated 17/08/2021.**

I am though entitled for Flight yet due to money crises I travelled in Sleeper. Due to continuous travelling with denial of Disability Support as per RPWD Act 2016, I got hurt and CGHS empanelled doctor advised me to Admit and gave estimate of approx Rs 25,000/- for operation. Please refer Annexure 20.

I would like to bring following facts to your notice

Through FSOID/R/E/23/00104 dated 4/12/2023, I requested acknowledgment of relieving order but it was denied by FSI.

Shri Bahera RD FSI Nagpur through Letter No E-426-2009(Vol.II)/85 dated 6/5/202 has ordered to transfer me when he started getting inquired by DDG,IRO,Nagpur.

Shri Bahera being RD FSI Kolkata issued letter File No s37/2015-Admin(Vol II)/231 dated 27th August 2021 that I am not willing to join Kolkata.

Till date NOC LPC Transfer Order Relieving Order and handing over of charge has not been done after multiple request to DG,FSI,Dehradun.

Every other staff member was given proper NOC and Relieving order but I am not given. On the instructions of DG FSI Dehradun I went to join because he was blackmailing me to join Kolkata by refusing subsistence allowances as he don't want to suspend me but carry out the inquires.

As per recording of Shri Bahera reported to Ministry, Shri Bahera mentioned that " As long as he is working, Kalbande can not work anywhere"

https://drive.google.com/file/d/1_Ce6Rxp-gTgwg3IK1-d5JiTXQEeqxV9pX/view?usp=drivesdk

<https://drive.google.com/file/d/1KSnV9kvMy6Ragud2f1EXn6DH7Hxr7xzV/view?usp=drivesdk>

<https://drive.google.com/file/d/1QuCp2KLTW7Xxvj6BDhwNUjHC6yvXXJDF/view?usp=drivesdk>

<https://drive.google.com/file/d/19RpcDkiWLA VBFG2YBa0zAxIV2-xRgpkh/view?usp=drivesdk>

<https://drive.google.com/file/d/10bVugyrd7aLwqEckWUmAfMUn0ewfD055/view?usp=drivesdk>

I am afraid, this is what is happening. Continuous inaction by DG FSI Dehradun, compelled me to believe the same. That is the reason even after misleading and false submission to CAT on behalf of you, No action has been taken on Official. **(Annexure 19)**

Even my hard earned certificates of IIRS ISRO NRSC FAO UN, idcard hdd Lord Krishan Frame, Cash book, Water bottle and Tiffin which left their due to emergency of Covid 19 infection has not

returned. I did many representation including reports to police. But requested me to approach CAT. Please refer to Annexure 22 and 23.

The OM No 43011/35/2022-Estt(Res-II) dated 8/12/2022 is pending at your end for further necessary action.

I am requesting you may kindly take necessary action and give me following relief

1. Start my allowances since 11th December 2023 so that I can get admitted to Hospital and get my operation done and action for not allowing me to join Kolkatta on various occasions and occupying my seat of JTA.
2. Compatible and Barrier Free Disability Constructions for Divyang Person at Offices of Forest Survey of India and action on unsympathetic behaviour to Divyang Person and strict adherence of RPWD Act 2016
3. Pending Medical Bills(3 years), NPS 25% Advance money(33 Months), allowances to attain the inquires(Since September 2021), clear pending medical advance for current surgery

This is for your required concern and necessary action.

Yours Faithfully

Kumar Kalbande

JTA FSI CZ Nagpur

Copy for action to

1. Secretary, Ministry of Housing and Urban Affairs, New Delhi
2. Secretary, Ministry Social Justice and Welfare, New Delhi
3. DGF&SS, MOEFCC, New Delhi
4. Shri Bivash Ranjan, ADG, MOEFCC, New Delhi
5. Grievance Redressal Officer(PG), Ministry of Environment Forest and Climate Change, New Delhi

Copy for Information to

6. Hon'ble Bhupendra Yadav Jee, Honble Minister of MOEFCC, IP Bhavan, New Delhi

संख्या-13-12/2023-प्रशा0 4493
भारत सरकार
भारतीय वन सर्वेक्षण
पो0ऑ0-आई0पी0ई0, कौलागढ़ मार्ग
देहरादून-248195

दिनांक 28 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-आर0टी0आई0-4456 दिनांक 27.03.2024.

महोदय,

उपरोक्त विषय के संदर्भ में सूचित किया जाता है कि Shri Kumar Kalbande, Maharashtra के आर0टी0आई0 आवेदन पत्र संख्या:-Registration No. FSOID/R/T/24/00018/1 दिनांक 27.03.2024 के द्वारा मांगी गई जानकारी के संबंध में कहना है कि मांगकर्ता द्वारा संलग्न की गई ई.मेल दिनांक 23.02.2024 प्रशासन अनुभाग में प्राप्त नहीं हुई है। अतः संबंधित सूचना प्रशासन अनुभाग में उपलब्ध नहीं है।

भवदीय,

(मुंडे अरविंद दत्त)
उप निदेशक (का0 एवं प्रशा0) 