LOKAYUKTA HARYANA

ANNUAL REPORT FOR THE YEAR 2009-2010 (01.04.2009 TO 31.03.2010)

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During the financial year 2009-2010 a total number of 210 complaints were received, which have been listed in Annexure–I. In addition to this, there were 91 complaints pending at the end of the preceding year i.e. on 31.03.2009 at various stages of investigation. A total of 169 complaints were disposed of during the financial year. A list of the complaints/ grievances disposed of with gist of the orders passed therein, is enclosed herewith as Annexure–II.

A-II

A-III

In order to ensure that action is taken against the erring public servants, in some cases the reports were not finalized until the action had been taken and reported to this office. A list of such cases is enclosed herewith as Annexure-III. In other cases, where the allegations or grievances were wholly or partly substantiated, the report containing the findings alongwith recommendations for appropriate action were forwarded to the Competent Authority under section 17(1)(b) of the Act. A list of such cases alongwith gist of recommendations has been annexed herewith as Annexure IV.

A-IV

As per the provisions of Section 17(2) of the Haryana Lokayukta Act, 2002 (hereinafter referred to as the "Act"), the competent authority was

required to examine the reports and intimate this office within three months about the action taken on such reports. However, the requisite reports were not being submitted within the stipulated time although even the Chief Secretary had issued two circulars dated 31.7.2007 and 4.12.2007 to all the Heads of the Departments, Commissioners, Deputy Commissioners and Universities for complying with the provisions of Section 17(2) of the Act. Annexure –V of this report gives the detail of the cases pertaining to financial year 2009-10 in which reports in terms of Section 17(2) of the Act have not been received.

NEED FOR CHANGE IN RECRUITMENT POLICY

In complaint No. 64 of 2006 it had been alleged that two persons had been given appointment to the Haryana Civil Services despite the fact that an FIR was pending against them on the relevant date. This assertion was found to be factually correct. The Chief Secretary was asked to furnish information as to whether a person can be given appointment despite the pendency of criminal proceedings against him or her at the relevant time. The Chief Secretary, vide letter No. 46/11/2008-5S-II dated 27/28.10.2009, intimated that there was no such restriction in the Government instructions. According to me, it is not a healthy practice to appoint persons against whom criminal proceedings are pending. Such appointments may lead to an anomalous situation in case the criminal proceedings succeed.

I am, therefore, of the view that the recruitment policy or the Haryana Civil Services Rules may be suitably amended so as to provide pendency of criminal proceedings as a disqualification for appointment in service.

DEPARTMENTAL PROCEEDINGS AND DELAYS

In my last report I had emphasized on the need for streamlining the procedure in departmental enquiries so that timely action can be taken in departmental proceedings. The position does not appear to have improved.

GRAM PANCHAYATS

ENCROACHMENTS ON PANCHAYAT / PUBLIC LANDS

During the proceedings in various complaints I have observed that there are numerous encroachments on the panchayat land but no action is taken by the authorities for removal of the same. This clearly supports the grievance of the general public that the encroachments are made in collusion with the Sarpanches or the Panches and their supervisory authorities such as the Panchayat Secretary, the Block Development & Panchayat Officer and the District Development & Panchayat Officer. It is not possible to believe that such blatant encroachments do not come to the notice of the authorities and their failure to take action against such encroachers leads to a very strong presumption of their collusion with the encroachers for extraneous

considerations including the acceptance of bribe. Actions under the Punjab Village Common Lands Regulation Act, 1961 (for short the 'VCL Act') were initiated only after such matters had come to light in the proceedings under the Act. The encroachments do not only deprive the panchayats of their valuable lands and the income therefrom but also lead to avoidable litigation in courts involving public time as well as expenditure.

I, therefore, recommend that whenever allegation about inaction on the part of the authorities in allowing the encroachments to take place or in not taking actions for their removal comes to light, a very stern action should be taken against the delinquent public servants so that it serves as a deterrent against allowing any such encroachments on in future.

In complaint No. 32 of 2008 it had been pointed out that certain persons had encroached upon the rasta belonging to the Gram Panchayat but no action was being taken by the authorities despite the fact having been brought to their notice. When the matter was taken up with the Deputy Commissioner, he reported that the demarcation of the rasta had been made by the Block Development & Panchayat Officer on 03.11.2008 and five persons including the complainant had been found to have encroached upon the same. Accordingly, proceedings under Section 7 of the VCL Act were stated to have been initiated against the encroachers. The complainant,

however, maintained that the report submitted by the Deputy Commissioner was false as the demarcation made on 12.04.2008 pertained to some other property and not to the rasta in dispute. On further enquiry this contention of the complainant was found to be correct. Accordingly, the demarcation of the rasta was got made and the encroachers were identified. The complainant was not found to be one of the encroachers. It is only thereafter that proceedings under the VCL Act were initiated against the encroachers. The Deputy Commissioner had been misled in the matter by a wrong report forwarded to him by the Block Development & Panchayat Officer and the Tehsildar who had allegedly done so at the instance of the Kanungo. Accordingly, departmental proceedings were initiated against the Kanungo and the Sadar Kanungo for their role in this matter.

In view of the above, the complaint was disposed of vide report dated 15.07.2009 with the following observations:-

> *"It may be mentioned that it is very difficult to have a direct evidence of demand of bribe by a public servant. However, the very fact that such a public servant had submitted a wrong report is an indication to that direction. Thus, during the enquiry proceedings it needs to be examined whether the wrong report was intentional or on account of any bonafide mistake on the part of Shri Chander Bhan. In case he cannot explain the reason for the wrong report, the*

complainant's allegation about demand of bribe cannot be brushed aside lightly.

Since the proceedings for eviction of the encroachers have already been initiated and the guilty officials are also being proceeded against, it is not necessary to keep the present complaint pending as nothing further needs to be done. The Deputy Commissioner, however, shall ensure that the Enquiry Officer associates the complainant in the departmental proceedings initiated against Shri Mahender Singh, Kanungo and Shri Chander Bhan, Sadar Kanungo and also keeps the observations made in this report in view before submitting his report. The Deputy Commissioner shall also intimate this office about the action taken in the departmental proceedings against the above mentioned two public servants."

Another instance of the ineffectiveness of the Government machinery in taking action against the encroachments has come to light in complaint No. 73 of 2007 disposed of vide report dated 22.07.2009. In this case the complainant had alleged that his grievance for removal of encroachments from public property was considered in the meeting of the District Public Relations and Grievances Committee held on 05.09.2003 in which the Deputy Commissioner had directed the Block Development & Panchayat Officer to get the demarcation made and have the illegal encroachments removed. When

the matter was raised before me in the year 2007 it was found that no action had been taken on the direction of the Deputy Commissioner given in the meeting held on 05.09.2003. The District Public Relations and Grievances Redressal Committee had also not taken any trouble in any of its subsequent meetings to find out as to whether its directions given on 05.09.2003 had been carried out or not. It was only after the matter had been raised in that complaint that the demarcation was made on 24.12.2007 and action against the encroachers under Section 7 of the VCL Act initiated. The responsibility for this lapse was attributed to various public servants some of whom were found to have retired in the meantime and, therefore, no effective action could be taken against them. However, action against other delinquent officials was stated to have been initiated.

EMBEZZLEMENT/ MISAPPROPRIATION OF FUNDS

During the investigation of various complaints I have noticed that misappropriation of funds by the Sarpanches is not viewed very seriously by the authorities. The misappropriation takes place either by showing expenditure on non existing projects or by inflating the expenditure on the projects undertaken. In many cases fake registers are maintained which are duly verified by the officials. However, whenever such allegations stand proved the only action taken in such matters is by way of recovery of the misappropriated amount. However, no criminal proceedings are initiated

against the delinquent public servants although misappropriation of public funds is also a criminal offence. This stands amply demonstrated from the following observations made in the report dated 30.07.2009 in complaint No. 99 and 103 of 2006:-

> *"From the reports of the Additional Deputy Commissioner, it had come out that the two delinquent public servants had misappropriated public funds. However, action against them had been initiated only for the recovery of the loss caused by them which could not possibly tentamount to any punishment. Misappropriation or swindling of Government funds also tentamounts to a criminal offence punishable under the law. The Director, Panchayats and the Deputy Commissioner, Sonepat were, therefore, asked to explain as to why criminal cases could not be lodged against the two delinquent public servants.*
>
> *In response to the above, the Director, Panchayats, Haryana and the Deputy Commissioner, Sonepat filed letters dated 19.03.2009 and 18.03.2009 respectively intimating that the FIR No. 95 dated 13.03.2009 under Sections 406/409/ 420/ 467/ 468/ 471 I.P.C. had duly been registered against Smt. Suresh Devi, Ex-Sarpanch and Shri Attar Singh, Ex-Member in the Police Station, Sadar, Sonepat. A copy of the FIR was also placed on record*."

In this case it was further observed that the district authorities were extremely slack and even reluctant in taking action against the Sarpanch and a member of the Village Development Committee for their acts of embezzlement and/ or of causing loss to the Gram Panchayat. The complainant had reported the matter to the Deputy Commissioner vide letter dated 18.12.2006 on which no action had been taken. However, when report was sought from the Deputy Commissioner on that complaint, an enquiry was got conducted from the Block Development & Panchayat Officer in which the delinquent officials were found to have caused loss of Rs. 61,461/- to the Gram Panchayat. The complainant, however, pointed out that the enquiry was incomplete and had been conducted without associating him. This objection of the complainant was found to be true. In fact the Enquiry Officer had himself pointed out that the accused were not joining the enquiry in order to evade any adverse finding against them. When I persisted with finding out the truth, the enquiry was entrusted to a senior official who found most of the allegations levelled against the accused officials to be true. As a result thereof, a further sum of Rs. 49,641/- was found due against the Sarpanch. The amounts of Rs. 61,461/- and Rs. 49,641/- were found recoverable from the Ex-Sarpanch and the Ex-Members in the year 2009. Despite the acts of embezzlement and causing loss to the Government having been found true no criminal proceedings were launched. It is only when the Deputy

Commissioner was asked as to why these public servants were not liable to criminal prosecution that an FIR was registered against them in the year 2009. This sequence of events clearly shows that action on the complaint dated 18.12.2006 was taken after three years for which there is no explanation.

In my view recovery of the amount misappropriated by the Sarpanch or the Panch is not an adequate punishment which can serve as a deterrent to the future Sarpanches and Panches. This is like letting off a thief on his handing back the stolen property. The act of theft continues to be a criminal offence. I am fully aware that the criminal proceedings against such Sarpanches and Panches may not succeed in every case as the considerations in criminal proceedings are different from those in the civil proceedings. In my view, a person from whom any recovery has been made under the Haryana Panchayati Raj Act, 1994 for causing loss to the Gram Panchayat or for misappropriation/ embezzlement of funds, be permanently debarred from holding such position.

Accordingly, I recommend that Section 175 of the Haryana Panchayati Raj Act, 1994 be amended appropriately so as to include recovery of any amount under the said Act to be a disqualification for holding the office of a Sarpanch or a Panch.

PRACTICE OF GRANTING PROVISIONAL AFFILIATION

In complaint No. 75 of 2006 disposed of vide report dated 28.07.2009 it was found that the Maharshi Dayanand University, Rohtak had not been following any satisfactory procedure in the matters relating to grant of affiliation. This is evident from the following observations made in that order:-

i) The Anupama Institute of Management had admittedly been granted affiliation on 19.12.2000. Thus it must have sought the approval of AICTE prior to that date. It is, therefore, not understood as to why a fresh approval had been sought by the said institute again in the year 2004 when the SLP filed by the University was pending in the Hon'ble Supreme Court of India. Further, legal opinion had been sought by the University from its counsel in the Supreme court. However, without waiting for the same, the Vice-Chancellor had deputed an Inspection Committee and on the basis of its report dated 2.8.2004 provisional affiliation had again been granted on 10.8.2004. Shri Nidhesh Gupta, counsel of the University in the Supreme Court in his letter dated 4.10.2004 had observed that this action of the University had led to the dismissal of the petition by the Hon'ble Supreme Court for having been rendered infructuous.

ii) *It has been alleged in the complaint that inspection of an institution cannot be got conducted prior to the grant of approval by the AICTE. The University has not specifically controverted this contention but has justified its action by contending that "the University has the practice to get the college inspected prior to the approval of the AICTE." Such a practice does not seem very satisfactory because in case the approval is not granted by the AICTE then the entire time and money spent by the University in getting the inspection done goes waste.*

iii) The Academic Council in its meeting held on 9.12.2006 had asked the Vice-Chancellor to depute an Inspection Committee to have realistic picture of the facilities available at these institutes and bring the matter in the next meeting. However, the report of the Inspection Committee came to be submitted after almost one year on 11.01.2008. Still further, when the report was put up before the Academic Council in its meeting held on 12.2.2008 the Vice Chancellor was asked to constitute a Committee to re-inspect these institutions. No reasons were given as to why re-inspection was needed. Even the inspection pursuant to the decision of the Academic Council dated 12.2.2008 the institutes were re-inspected after about six months on 2.8.2008 and in the report of re-inspection several deficiencies had again been pointed out. However, the Academic Council in its meeting held on 29.8.2008 considered the said report and again granted

provisional affiliation subject to the condition that both the colleges shall fulfil all the deficiencies within a period of six months failing which proceedings for disaffiliation would be initiated well in advance. As per the above decision the two institutions had been re-inspected on 28.3.2009 and in the inspection report several deficiencies had again been pointed out. The report of the Inspection Committee dated 28.03.2009 was again considered by the Academic Council of the University in its meeting held on 19.06.2009 whereby the provisional affiliation of Anupama College of Engineering was extended for the session 2009-2010 subject to the condition that it will make up the deficiencies pointed out in the inspection report dated 28.3.2009 within a period of six months. It is, therefore, clear that despite finding deficiencies the provisional affiliation has been allowed to be continued for years together. I am not expressing any opinion about the correctness of the deficiencies pointed out in the inspection reports which is a matter between the institutions and the University. The purpose of highlighting this position is that scant regard is being paid to the criteria laid down for grant of affiliation. If an institution does not fulfil all the requisite conditions, grant of conditional /provisional affiliation can affect the future of the students. For instance if such an institution fails to fulfil the conditions within the stipulated period, the conditional affiliation granted

to it will have to be cancelled midstream which can be very detrimental to the future of the students.

iv) *From the explanation furnished by the University it is clear that the provisional affiliation to the Anupama College of Engineering and Anupama Institute of Management, Bhora Kalan for the sessions 2007-2008 and 2008-2009 had been extended vide resolution No.10 of the Academic Council adopted in its meeting held on 29.08.2008 when the session for 2007-2008 had already ended while the session for 2008-2009 was midway. This shows that the two institutions had been allowed to run the requisite courses without affiliation for one and a half years. Further in the said resolution it had been also resolved that both the colleges would fulfil all the deficiencies within a period of six months which would be verified by the same Inspection Committee which had submitted its earlier report dated 2.8.2008. According to the University, in pursuance to this resolution the Inspection Committee had inspected both the institutions again and had found that several deficiencies had still not been made good.*

From the above it is clear that these institutions had been functioning merely on provisional affiliation for almost 9 years. Certain norms are prescribed for grant of affiliation which have to be fulfilled by any institution applying for such affiliation. By granting provisional

affiliation despite several deficiencies, the University violates its own rules.

I, therefore, recommend that the procedure for grant of affiliation should be strictly followed and affiliation should be granted only to the institutions which fulfill all the prescribed norms. The practice of granting provisional affiliation should be done away with. In any case, if it cannot be totally stopped, the provisional affiliation should not be granted more than once.

FOOD & SUPPLIES DEPARTMENT

Several instances of corrupt practices prevalent in the Food & Supplies Department have been noticed during the course of investigation in various complaints. The officials of this department at the district level have been found to be using their powers for taking action against the erring depot holders selectively and in an arbitrary manner. From their conduct a clear inference flows that punitive actions are taken against only those depot holders who refuse to meet their illegal demands while the other depot holders who oblige them are let off without any action. It has also been noticed that even in cases where the depot holders are found to have misappropriated the supplies by not distributing it to the eligible persons the only action taken against such depot holders is by way of cancellation of the

depot and forfeiture of their security which is a nominal amount of Rs. 1,000/-. In many such cases the new depots are allotted to the near relatives or nominees of the depot holders whose depots are cancelled.

The act of misappropriation of supplies meant for the poor strata of society clearly tentamounts to a criminal offence as well and thus criminal action needs to be initiated against such depot holders which is normally not done in lieu of extraneous considerations. An instance on this issue is complaint No.5 of 2007 in which vide report dated 30.07.2009 it was noticed that the District Food & Supplies Controller had taken action against the complainant by filing a false FIR against him whereas no such action had been taken against many other depot holders who were found to have committed more serious irregularities. In fact it had been found that the District Food & Supplies Controller had been applying different yardsticks to different depot holders in a malafide manner.

I, therefore, recommend that harsher penalties be prescribed in cases where misappropriation of supplies by the Depot Holders is established. Criminal proceedings should also be initiated against such Depot Holders and their accomplices including the officials of the department who are found to have failed in their duty.

POLICE

In complaint No. 97 of 2007 disposed of vide report dated 25.08.2009 the collusion of the Haryana Police with the complainant has come to light. A complaint for taking action against a family in Gujarat in a marital dispute was readily entertained from a lady claiming to be a resident of Haryana whereas she was in fact a resident of Gujarat. Even the marriage had taken place in Gujarat. The police had shown its overzealousness in this case and had arrested an old couple and an ailing young man although it had no jurisdiction in the said case. Many legal formalities were found to have been flouted. The young man, who was suffering from a heart disease, had died due to this shock. However, ultimately the police authorities had to cut a sorry figure when the plea of the accused about jurisdiction was accepted by the Hon'ble High Court. This lapse was as usual attributed to a junior official against whom action was initiated. However, when a complaint was lodged against the same lady under Section 182 I.P.C., the police showed its inability in serving the non-bailable warrants on the ground that her whereabouts were not known. It is surprising that a lady, on whose complaint the police had shown its overzealousness in taking action in a case over which it had no jurisdiction, was not traceable by the police when a complaint was registered against her. This case is a sad reflection on the working of the Haryana Police.

DELAYING TACTICS

In complaint No.134 of 2008 the tactics that the Babus adopt for keeping the matters pending and thereby harassing the general public including their own colleagues has come to light. A Government employee had made a representation on 20.08.2003 alleging that he had been wrongly denied promotion while his junior had been promoted on 16.08.2002. He approached this office with the grievance that no action had been taken on his representation for five years. When the Financial Commissioner & Principal Secretary was asked to furnish his comments, he pointed out that the action was pending as the advice sought from the Chief Secretary in the matter had not been received. However, during investigation it was found that the Chief Secretary had duly given his advice on 17.06.2005 but the matter had been unnecessarily referred back to him again and again although each time the Chief Secretary had stuck to his advice given by him on 17.06.2005. The Financial Commissioner & Principal Secretary ultimately dismissed the representation of the complainant on 07.09.2009 (after the matter had been raised before me in that complaint) in which he did not follow the advice of the Chief Secretary on the ground that he could not overrule the policy laid down by the State Government. The Financial Commissioner & Principal Secretary may or may not be right in his conclusions. However, it is not understood as to why he could not dispose of the matter immediately after the Chief Secretary had given his advice on 17.06.2005. In fact in none of the

four subsequent notings, vide which the matter had been referred back to the Chief Secretary, it had been pointed out that his advice was contrary to the policy of the State Government. Thus irrespective of the merits of the claim of the complainant, it is clear that his representation had been unnecessarily kept pending for six long years without any rhyme or reason.

Another such instance was noticed in complaint No. 15 of 2009. In that case a person, who had served the Armed Forces for 17 years and thereafter the State Government for 15 years, had to pursue his claim for the benefit of service rendered in the Armed Forces for 20 long years without any success. It was only after he had resorted to his remedy under the Act, that the necessary relief was granted to him. In my report dated 16.09.2009 strict action had been recommended against the officials found responsible for causing this delay. It was initially reported that two delinquent officials had been charge-sheeted under Rule 8 of the Haryana Civil Services (Punishment & Appeal) Rules, 1987(for short the 'Rules') while the case of another delinquent official had been referred to his parent department for taking action against him. However, subsequently it was intimated that one of the delinquent official had been awarded punishment by way of a warning for not repeating the mistake in future while the charge-sheet against the other delinquent official had been filed. Such a mild punishment against strict action recommended by me clearly shows that the authorities try to shield

their employees for such serious lapses. The light punishment awarded in that case cannot possibly serve as a deterrent to any employee in future. The report in respect of the action taken against the delinquent official, whose case had been referred to his parent department, has still not been received.

It is, therefore, imperative that strict action is taken against the public servants who are found responsible for causing unnecessary delay in taking action. It is only then that the public servants shall not dare to repeat such a mistake. Any leniency in such matters would shake the confidence of the citizens in the administration.

MILD PUNISHMENT FOR SERIOUS LAPSES

The leniency of the authorities in taking action against the employees found responsible for serious lapses is also evident from the report dated 17.09.2009 in complaint No. 3 of 2009. In that case it had been alleged that two persons had fraudulently got the complainant's land entered in their names in collusion with a Patwari and a Girdawar. When report was sought from the Deputy Commissioner and the Superintendent of Police it was found that the allegation was correct and, accordingly, an FIR was registered against all the accused. The departmental proceedings under Rule 7 of the Rules were also initiated against the delinquent public servants i.e. the Patwari and the Girdawar. However, even though the allegations against the public

servants had been found to be correct, show cause notices issued to them merely proposed a punishment of stoppage of four increments. **It is not understood as to how a public servant, who is found to have colluded in a fraud which is a criminal offence, can be allowed to continue in service.**

Another instance of a public servant being lightly let off for a serious lapse has come to my notice in complaint No. 1 of 2007 disposed of vide report dated 05.11.2009. **In the said case it was found that a Class-I officer had passed illegal orders without any jurisdiction in utter disregard of provisions of the law. His conduct was found to be a very poor reflection of his administrative ability and knowledge of law. Departmental proceedings for this serious lapse were initiated against him after the said complaint had been filed in this office. However, the said officer was let off very lightly by awarding a punishment by way of a warning to be careful in future for such a serious lapse.**

Similar was the position in complaint Nos. 109 and 110 of 2007 in which as per report dated 08.12.2009 the following observations had been made:-

> "*In the above facts it is clear that a false report had been submitted by AS.I. Madan Lal and the only motive for submission of such a false report could be to protect the accused from being arrested*

Thus the allegation of the complainant that there was a collusion of Shri Madan Lal ASI and the accused stood prima facie established. This, indeed was a serious matter. If the investigation officer colludes with the accused in this manner then the faith of general public in the police authorities is likely to be badly shaken. Despite the seriousness of this matter, A.S.I. Madan Lal had been let off with a mild punishment of being warned. It was not even clear whether this warning had been recorded in his ACR or not."

In the above case, although the collusion of the police authorities with the accused had been established, the delinquent officials were let off with a light punishment. This is amply demonstrated from the following observations made in the report:-

"*However, the allegations of the complainants that the police officials have been dragging their feet in taking action in FIR No. 234 dated 07.09.2007. During the course of the present enquiry the collusion of the officials of Police Station, Tosham with one of the accused Surender stands established in as much as Shri Madan Lal, AS.I. had submitted a false report dated 17.01.2008 before the Superintendent of Police, Bhiwani that Surender had neither been declared a proclaimed offender in case No. 124 of 2001 nor had he jumped any bail. This was clearly contrary to the order passed by Shri*

Rajiv Goyal, Judicial Magistrate, First Class, Bhiwani dated 06.03.2007 which reads as under:-

> *"Case called several times since morning.*
>
> *It is already 2.00 p.m. However, none of accused has appeared. Proclamation warrant u/s 82 Cr. P.C. against them stands already executed. I am satisfied that aforesaid accused have been absconding and hence, they are declared proclaimed offender. Separate statement of learned APP for State has been recorded whereby he closed the evidence of prosecution u/s 299 Cr.P.C. reserving his right to again examine the witnesses as and when accused surrender in the Court or are produced by the Police and in the meantime, file be consigned to record room and same be again put up as and when accused surrender in the Court or are produced by police after their arrest."*

The report of Shri Madan Lal, A.S.I. had not only been endorsed by the Deputy Superintendent of Police who had made an endorsement in his own hand on 17.01.2008 that the accused was not a proclaimed offender or a bail jumper. The report was further mechanically approved by the Superintendent of Police on 28.02.2008 without granting any opportunity to the complainants to support their claim.

Thus Shri Madan Lal, A.S.I is clearly guilty of filing a false report. Further the Superintendent of Police and the Deputy Superintendent of Police who had mechanically approved the false report are also responsible for their administrative failure. Unfortunately, A.S.I. Madan Lal has been let off with a mild punishment of being warned. The matter had, accordingly, been referred to the Director General of Police for his information and comments. However, nothing has been heard from him. I recommend that the matter be reviewed by the Director General of Police and very strict action be taken against Shri Madan Lal, AS.I. for furnishing the false report.

It is also evident that in the earlier investigation conducted by the Deputy Superintendent of Police, Meham on the basis of which the Senior Superintendent of Police, Rohtak had filed letter dated 27.10.2008, an attempt had been made to shield Manju, Deepak, Ramesh, Sunil and Yash. It was only when the matter had been pursued by the complainants before me and the police officials were not able to controvert the allegations of the complainants that the involvement of the above mentioned persons had been admitted by the police. There has also been a considerable delay in arresting the accused two of whom were government employees. The allegation of the complainants that this was on account of political connections of

Ramesh, S.D.O and Manju Bagri does appear to be correct as the averment of the complaint that Manju Bagri is the daughter of a Minister in Rajasthan and Ramesh is married to her has not been denied. Thus, it is clear that the earlier investigation made by the Deputy Superintendent of Police, Meham, was not proper and an attempt had been made to shield some of the accused. Accordingly, I recommend that action in accordance with law be taken against the Deputy Superintendent of Police, Meham who had conducted the earlier enquiry in which some of the accused had been absolved by him."

Finally, I would like to point out that my efforts to ensure that the complaints are dealt with in a fair and judicial manner have borne fruit and more and more people have started availing the remedy provided under the Act. I would also like to observe that I have received all the necessary cooperation and assistance from the various Government departments.

(N.K. SUD)
Dated: 29.06.2010 **Lokayukta, Haryana**
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