



HARYANA RIGHT TO SERVICE COMMISSION
S.C.O. No. 38 & 39 (2nd FLOOR), SECTOR 17-A, CHANDIGARH-160017
Website- <https://haryana-rtsc.gov.in/> Telephone: 0172-2711050

Dated: 09th May 2025

No. HRSC-020008/81/2025/1708

To

The SGRA-cum-SP,
Ambala.
E-mail: spamb@hry.nic.in

The FGRA-cum-DSP,
Ambala.
E-mail: asp-ambala.pol@hry.gov.in

The Designated Officer-cum-SHO,
P.S. Mahesh Nagar, Ambala.
E-mail: shomaheshnagar-hry@nic.in

Subject: Revision No. AAS25/1460842- Deepak Sandhu (name not visible on AAS)-Disposal of Online Complaint [RTS - 60 Day]- Ambala.

Sir,

I have been directed to invite reference towards the subject cited above and to send herewith a copy of interim orders dated 08.05.2025 passed by Sh. T. C. Gupta, Chief Commissioner, Haryana Right to Service Commission. **Additionally, the DSP (HQs), Ambala is requested to send a report in the matter to the Commission by 16.05.2025 through e-mail rtsc-hry@gov.in only. The reply to this letter must also mention the name of the signatory along with his/her designation, without which it will not be entertained.**

(Sube Khan)

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

CC: Appellant Deepak Sandhu (Contact No. 9416477745) (through AAS) for information.

(Sube Khan)

Under Secretary-cum-Registrar,
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Interim Orders

(In respect of Revision No. AAS25/1460842- Deepak Sandhu)

Hearing date: 07.05.2025

Time: 12:00 noon

Case Type	Revision on Auto Appeal System (AAS)	
Department	Police Department	
Name of Service	<i>Disposal of Online Complaint</i>	
Date of Application	03.03.2025	
RTS Timeline	60 Days	
RTS Due Date	03.06.2025	
District	Ambala	
Name of the Appellant	Sh. Deepak Sandhu	
Designated Officer (DO)	Designation	SHO, P.S. Mahesh Nagar
	Action taken with date	Service completed on 14.03.2025
	Remarks of DO	NA
First Grievance Redressal Authority (FGRA)	Designation	DSP (HQ), Ambala
	Date and mode of appeal submitted to FGRA	Self-filed on SARAL portal on 15.03.2025
	Remarks of the Appellant	<i>"Sir nevertheless raising instant complaint against SHO Mahesh Nagar, Ambala Cantt. regarding NON REGISTRATION OF FIR OF COGNIZABLE OFFENCE VIZ. WRONGFUL RESTRAINT, MISCHIEF ETC. supported by substantial electronic evidences, the S.P. Ambala too had not taken any cognizance in the matter in accordance with law/"</i>
	Action taken by the FGRA with date	Appeal dismissed on 18.03.2025
	Remarks of FGRA	"R/SIR, atr report upload./"
Second Grievance Redressal Authority (SGRA)	Designation	SP, Ambala
	Date and mode of appeal submitted to SGRA	Self-filed by applicant on SARAL portal on 20.03.2025
	Remarks of the Appellant	<i>"The SHO Mahesh Nagar Ambala Cantt has been adamantly not registering FIR of Cognizable Offence viz. Wrongful Restraint Mischief by causing injury to Public Road Public Nuisance etc. nevertheless apparent directions issued by Ld. DSP HQ Ambala to concerned SHO to act in accordance with law promptly but he reluctantly failed to perform his legal duty for which he is legally bound and accountable to do that as uptil now the accused have illegally and forcibly blocked the Public Way and the Police h /"</i>
	Action taken by SGRA with date	Appeal dismissed on 02.04.2025

	Remarks of SGRA	"R/SIR, atr report upload. /"
Commission	Mode and date of filing of Revision	Self-filed by applicant on SARAL portal on 16.04.2025
	Remarks of the Appellant	"Sir the complainant had filed the appeal today morning at about 9 30 am before this Honourable Commission through Gmail /"
	Whether Revision has been filed in time?	Yes
	Whether service has been applied under correct category?	Yes

2. Taking cognizance of the matter, notices under section 17(1)(h) and 17(1)(d) of the Haryana Right to Service Act, 2014 (hereinafter referred to as the 'Act') were issued to the DO, FGRA and SGRA to appear before Sh. T. C. Gupta, Chief Commissioner, Haryana Right to Service Commission on 07.05.2025 at 12:00 noon vide Commission's letter no. 1498 dated **22.04.2025**.

3. Before the hearing, a reply was received from Sh. Vijay Kumar, HPS, DSP HQ Ambala vide letter no.1112-RDSP-HQ/AMB dated **01.05.2025**, stating the following: -

- a. Complaint No. 315-CCTNS dated 23.02.2025 was lodged by Sh. Deepak Sandhu, resident of D-10A, Dayal Bagh, Ambala Cantt., against Sh. Praveen Malhotra and others for illegally blocking a public street by installing a gate.
- b. Investigation was conducted by SI Sh. Sushil Kumar, P.S. Mahesh Nagar and it was found that the issue pertained to Municipal Council, Ambala Cantt.
- c. Further complaints were received on 05.03.2025, 06.03.2025, 17.03.2025, 25.03.2025, 27.03.2025, which were investigated by DSP Sh. Ramesh Kumar, Ambala Cantt, and SI Sh. Sushil Kumar.
- d. It was found that the matter related to the Municipal Council, and thus, dated 07.03.2025 was sent to the Municipal Council.
- e. The first appeal was filed on 03.03.2025. The statement of the appellant recorded on 07.03.2025 and again on 17.03.2025. The appellant expressed satisfaction after FGRA directed action by the police. However, a second appeal was filed after the appellant was again dissatisfied with the resolution.
- f. The appellant Sh. Deepak Sandhu filed a civil suit against SHO, P.S. Mahesh Nagar. The next hearing is scheduled for 11.04.2025. The complaint was dismissed as the matter was sub-judice.

4. The hearing took place as scheduled, which was attended by the following:

- i. Sh. Vijay Kumar, HPS, FGRA-cum-DSP (HQs) Ambala (through VC);
- ii. Sh. Ajit Singh, Inspector, DO-cum-SHO, P.S. Mahesh Nagar, Ambala (through VC);
- iii. Sh. Deepak Sandhu, Appellant (in person)

Sh. Ajit Singh Shekhawat, IPS, SGRA-cum-SP, Ambala did not attend the hearing. Sh. Vijay Kumar, HPS, informed that he was representing the SGRA. However, no reason was provided for the SGRA's absence. This is not appreciable. If the SGRA-cum-SP, Ambala, was occupied—possibly due to the current law and order situation—he should

have informed the Commission of his inability to attend, either through an email, message, or a phone call. Simply not attending the hearing, which is conducted as court proceedings under the provisions of the Act, is not appropriate for a senior and responsible officer of the rank of SP. It is expected that he will be more mindful in the future.

5. (i) The appellant stated that an iron gate has been installed by local residents on a public street without obtaining any permission, and it is obstructing his Right of Way. He referred to Section 126(1) of the Bharatiya Nyaya Sanhita (BNS), 2023 which states:

"Whoever voluntarily obstructs any person so as to prevent that person from proceeding in any direction in which that person has a right to proceed, is said wrongfully to restrain that person."

He further cited Sections 324 and 326 of the BNS, along with Sections 173(1), (2), and (4) of the Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023, to support his claim that the police ought to have registered an FIR against the individuals responsible.

(ii) On the other hand, the FGRA-cum-DSP (HQs) stated that the complainant does not reside in the street where the iron gates have been installed. He added that the gates are installed at the end of the street in which where there are 7-8 houses, and all residents had consented to their installation. When asked whether any formal permission had been obtained for installing the gates, he responded in the negative but mentioned that the residents might have applied to the Municipal Committee/Council.

(iii) In response, the appellant clarified that although he is not a resident of that street, the gates still pose an obstacle if he needs to pass through it, and thus, they do obstruct his Right of Way.

6. The Commission has considered all the facts and circumstances of this case. It is evident that the respondents are not fully aware of the applicable laws. As per legal provisions, prior permission from the competent authority is mandatory before installing iron gates on a public street. Such permission is granted only after due consideration, which includes obtaining comments from the police and other concerned departments. No individual or group has the right to install an iron gate on a public street without such permission. To illustrate this, a copy of the permission dated 09.12.2021 (Annexure-A) issued by the District Magistrate, Panchkula, is enclosed with these orders. Similarly, in a recent case before the Commission, permission for gate installation on a street in an HSVP sector in Gurugram was granted through an order dated 21.01.2025 (Annexure-B). That order was duly signed by the Estate Officer (HSVP), Deputy Commissioner of Police (Gurugram), and Deputy Commissioner (Gurugram), highlighting the need for obtaining approvals in such cases.

From the present case, it is evident that a cognizable offence has been committed, as no permission was obtained and neither any FIR has been registered, nor the illegal gates have been removed. Initially, the DSP (HQs) stated that the matter had been

referred to the Municipal Committee/Council, Ambala, and that a meeting would be held. However, when the Commission indicated it might invoke its powers for failure to act in accordance with the law, the DSP (HQs) assured that steps would be taken promptly for removing the gate—a proposal to which the appellant agreed.

Accordingly, without passing any further orders at this stage, the proceedings are adjourned for one week to await a report from the DSP (HQs), Ambala in this regard.

Dated: 08.05.2025



(Amexure A)

प्रेषक

उपायुक्त, पंचकूला।

सेवा में

श्री मनोहर सिंह वोहरा,
निवासी म0 न0 696,
सैक्टर-6, पंचकूला।

कमांक 3262 /एल0एफ0ए0 दिनांक 9-12-2021

विषय:- Regarding security concerns in the street (Sector-6).

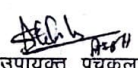
उपरोक्त विषय पर आपके प्रार्थना पत्र दिनांक 18.02.2021 के संदर्भ में।

इस संबंध में पुलिस उपायुक्त, पंचकूला व सम्पदा अधिकारी, हरियाणा शहरी विकास प्राधिकरण, पंचकूला से रिपोर्ट प्राप्त की गई।

पुलिस उपायुक्त, पंचकूला:- पुलिस उपायुक्त, पंचकूला ने अपने कार्यालय के पत्र कमांक 128681 दिनांक 06.12.2021 द्वारा सूचित किया है कि मामले के संबंध में रिपोर्ट प्रबन्धक थाना सैक्टर-7, पंचकूला से प्राप्त की गई। रिपोर्ट अनुसार म0 न0 696, 682 व 683 की एक तरफ सुरक्षा गेट लगे हैं जो अब उपरोक्त मकान नम्बरों के नजदीक रेलिंग के साथ सुरक्षा गेट लगवाना चाहते हैं जिसके बारे में उपरोक्त मकान मालिकों ने पहले ही एच0एस0वी0पी0, सैक्टर-6, पंचकूला से सुरक्षा गेट लगवाने की अनुमति ले रखी है, जो उपरोक्त मकान नम्बरों के नजदीक रेलिंग के साथ सुरक्षा गेट लगवाने वाले स्थानीय पुलिस को कोई एतराज नहीं है।

सम्पदा अधिकारी, हरियाणा शहरी विकास प्राधिकरण, पंचकूला:- सम्पदा अधिकारी, हरियाणा शहरी विकास प्राधिकरण, पंचकूला ने अपने पत्र कमांक 5903 दिनांक 23.11.2021 द्वारा सूचित किया है कि SDE (सर्वे) द्वारा मौका निरीक्षण किया गया तथा रिपोर्ट दी कि हरियाणा शहरी विकास प्राधिकरण को सैक्टर-6, पंचकूला में सुरक्षा गेट लगाने में कोई आपत्ति नहीं है। सड़क सुरक्षा के बिन्दु पर पुलिस उपायुक्त, पंचकूला से रिपोर्ट प्राप्त कर ली जाए।


उपरोक्त रिपोर्ट अनुसार म0 न0 696, 682, 683 पर सुरक्षा गेट लगाने की अनुमति प्रदान की जाती है।


कृते: उपायुक्त, पंचकूला।

पू0 कमांक /एल0एफ0ए0 दिनांक:

इसकी एक प्रति निम्नलिखित को सूचनार्थ प्रेषित है:-


1. उपायुक्त पुलिस, पंचकूला।
2. सम्पदा अधिकारी, हरियाणा शहरी विकास प्राधिकरण, पंचकूला।
3. प्रधान, रैजिडेंट वैलफेयर एसोसिएशन, सैक्टर-6, पंचकूला।



कृते: उपायुक्त, पंचकूला।


PROCEEDING OF THE MEETING HELD ON 16.01.2025 AT 4.30 AM UNDER THE
CHAIRMANSHIP OF DEPUTY COMMISSIONER, GURUGRAM REGARDING PERMISSION FOR
INSTALLATION OF SECURITY GATE FOR SMOOTH MANAGEMENT OF TRAFFIC IN SECTOR-
15-II, GURUGRAM

In this regard, it is submitted that a request was received from Satjay Rastogi, IAS
letter dated 11.12.2024 for erection of security gate adjacent to plot no. 1561P Sector-15-II,
Gurugram and accordingly the matter regarding permission for installation of Security Gate for
smooth management of traffic in Sector-15-II, Gurugram was put up and discussed in the
meeting and the permission for installation of security gate is granted by the committee for
smooth management of traffic in Sector-15-II, Gurugram as per HSVP policy dated 11.01.2010

The meeting ended with vote of thanks


Estate Officer-1
HSVP, Gurugram


Deputy Commissioner Police (West)
Gurugram


Deputy Commissioner
Gurugram

MEMO No. 332
DT. 16-01-2025