

**PRINCIPAL CHIEF CONSERVATOR OF FORESTS, HARYANA
FOREST DEPARTMENT, GOVERNMENT OF HARYANA**


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Invitation of Comments on Online Transfer Policy-2018 of Forest Department, Haryana

It is informed that draft Online Transfer Policy-2018 for transferring Forest Guards and Foresters in Forest Department Haryana has been prepared and uploaded on departmental website haryanaforest.gov.in.

The Forest Guards and Foresters working in the department seeking transfer from one place of posting to another place of posting will have to submit their option online and they will be transferred online w.e.f. April 2018 as per the provisions contained in this Policy.

Comments are invited from general public and all other state holders on this draft Online Transfer Policy. The comments can be sent upto 20-03-2018 through email at papccf@gmail.com or faxed at telephone no. 0172-2583158 or sent to Principal Chief Conservator of Forests, Haryana at office address – VAN BHAWAN, C-18, Sector-6, Panchkula, Haryana.


Principal Chief Conservator of Forests,
Haryana, Panchkula.

GOVERNMENT OF HARYANA
DEPARTMENT OF FORESTS & WILD LIFE

ORDER

Dated Chandigarh the 9th March, 2018

1. Short title and commencement: -

- (1) This Order may be called the Forest Department Transfer Policy, 2018.
- (2) It shall come into force from the date as appointed in this regard by the Government within the Financial Year of 2018 – 19.

2. Categories of Government Employee to whom this Policy apply:-

- (1) Save as otherwise provided by or under this Policy, this Policy shall apply to the following:-
 - (a) Persons appointed and occupying the posts in the categories of ‘Foresters’ and ‘Forest Guards’ (under the Haryana State Forest Executive Section (Group C) Service Rules, 1998 or any predecessor Service Rules of the said Rules) and serving in connection with the affairs of the Government of Haryana within the Administrative control of the Department of Forests & Wild Life,
 - (b) Any other class and categories of persons who are serving in connection with the affairs of the Government of Haryana within the Administrative control of the Department of Forests & Wild Life and on whom the Government may, by order, specifically direct this Policy to be made applicable.
- (2) Save as otherwise provided by or under this Policy, this Policy shall not apply to:-
 - (a) Persons not in whole time employment ;
 - (b) Persons paid otherwise than on monthly basis, including those paid on a piece-rate basis or on daily wages basis or on contract basis ;
 - (c) Postings being made as a consequence of Government Employee being promoted/posted on fresh appointment/posted after joining back from deputation or to fill up vacancy arising due to the retirement of the incumbent or to fill up vacancy arising due to the incumbent proceeding on training/long leave or to fill up vacancies arising due to resignation/removal/dismissal, etc, of the incumbent;
 - (d) Posting being made on the basis of consideration of the request of mutual transfer;
 - (e) Any other class or category of persons whom the Government may, by order, specifically exclude from the operation of all or any of the provisions contained in this Policy.

3. DEFINITIONS: - In this Policy, unless the context requires it to be otherwise,

- (a) **“actual vacancy”** means a post notified as such by the transferring authority before the exercise of respective General Transfer which becomes, on such a notification, available to be occupied (but not occupied for the time being) by a Government Employee;
- (b) **“blocked posts”** means a post notified as such by the transferring authority before the exercise of respective General Transfer which, though may be an existing post, but shall not be available to be occupied by a Government Employee;
- (c) **“competent authority”** means the Government;
- (d) **“deemed vacancy”** means a post notified as such by the transferring authority comprising such posts which, though are occupied for the time being by some Government Employee, but is going to be available for being occupied by other Government Employee owing to the reason that the present occupant is going to complete the entitled ‘nearly 3 years’ or, as the case may be, the entitled ‘nearly 5 years’ of tenure in terms of this policy;
- (e) **“Government”** means the Government of the State of Haryana in the Administrative Department of Forest & Wild Life;
- (f) **“Government Employee”** means the Government Employee on which this Policy applies in terms of clause 2 of this Policy;
- (g) **“he” or “his”** include “she” or “her”;
- (h) **“persons”** mean persons who are Government Employees for the purposes of this Policy;
- (i) **“resultant vacancy”** means a vacancy caused by the transfer of a Government Employee during the General Transfer and thus, becomes available to be occupied by a Government Employee during the process of the exercise of General Transfer despite not finding a mention either in the list of ‘available vacancy’ or in the list of ‘deemed vacancy’;
- (j) **“transferring authority”** means, save as otherwise provided in this policy and subject to the provisions of this policy and other applicable instructions of the Government, the Principal Chief Conservator of Forest (HoFF), Haryana;

4. Basic guiding principle regulating the transfer of the Government Employee: -

- (1) Save as otherwise provided by or under this Policy or, as the case may be, by the Government through separate order from time to time, with effect from the date this Policy or, as the case may be, any part of this Policy comes into force, the transfer and posting in ordinary circumstances and cases shall be regulated under such terms and conditions as are included in this Policy.

(2) All the other instructions/advices/order/Policies, etc, which regulated the transfer and posting the Government Employee shall cease to be effective from the date this Policy comes into force.

(3) Transfer and Posting is a mechanism, available to the employer in its absolute discretion, through which the employer determines how and in what capacity and manner it should take work from its employees and shall not be construed as being a mechanism to punish or penalize a Government Employee. To be entitled to hold or continue to hold a post does not constitute a condition of service to which a Government Employee is entitled.

(4) While effecting or ordering transfers, the departmental and public interests shall be the supreme and paramount criteria.

(5) Ordinarily and to the extent it is practicable, the annual exercise of transfers and postings of Government Employees, to be termed as 'General Transfers', will be undertaken preferably within the calendar months of April and May. Transfers, in exception to the 'General Transfers' shall be done in exceptional circumstances and/or based on administrative exigencies.

Note: Existence of 'exceptional circumstances' and 'administrative exigencies' are matters to be determined by the authority ordering or authorizing transfers and postings and it is not expected that exercise of such discretions shall always be articulated as reasoning for exercise of such discretion. A bare mention of these special situations shall be enough ground for the exercise of said discretion.

(6) Under ordinary circumstances and to the extent practicably possible without compromising the interest of work, transfers and postings of a Government Employee shall be made through online procedure on the consideration of the choices given by the employees.

Note: Whether it is 'an ordinary circumstances or not' or whether 'the interest of work is compromised or not' is a decision that rests solely on the discretion of the authority competent to authorize/order transfers and postings.

(7) No TA/DA or any other transfer related allowance will be admissible to a Government Employee, if the transfer in his case has been afforded/ ordered in order to accommodate his request.

(8) Subject to the provisions of this policy and save the situations when it is ordered to be otherwise in case of any Government Employee by authorities competent to order transfers/postings and, as the case may be, save other exigencies, normal tenure under ordinary circumstances for a Government Employee at any station/place of posting shall be of nearly 3 years and, further, within any District it may extend to a total of nearly 5 years. A Government Employee, in whose case, at the time of the next 'General Transfer' the said 'nearly 3 years' or, as the case may be, the said 'nearly 5 years' gets completed, shall be transferred in the said 'next General Transfer' and thus, shall be eligible to exercise the option as prescribed in this policy at that time.

Note: Any Government Employee who has completed more than 30 months or, as the case may be, 54 months on a post on the cutoff date (which, unless prescribed to be otherwise under this policy or by the competent authority, happens to be the 30th day of the April in the relevant Financial Year) shall be deemed to have completed 'nearly 3 years' or, as the case may be, nearly 5 years on the post occupied by him for the purposes of this policy.

(9) Subject to the provisions of this policy, a Government Employee who, under the ordinary circumstances, is expected to superannuate within a period of one year counted from the cutoff of 'General Transfer' in which he is due to be considered for transfer, will normally not be considered for transfer except owing to the reasons of 'exceptional circumstances' or 'administrative exigency' or, as the case may be, on his own request.

(10) Request for transfer of a Government Employee to post him with his/her spouse (spouse either being a Government Employee or being an employee working in connection with the affairs of the State of Haryana or any other State Government or Central Government or local or other authorities wholly or substantially owned or controlled by either of the said Governments) either at the same station or at nearby station shall be considered. However, in the event of clash of choices amongst persons belonging to this category, the request involving a Government Employee being a lady shall be accorded preference. In the event of a clash even in this dispensation, request of the lady being older in age shall be accorded preference.

5. **Units of Department: –**

For the purposes of this Policy, the Department of Forest & Wild Life shall be reckoned as given below:

- i. Beat:-** The smallest field unit in the organizational structure on the Forest Department that is known as 'Beat'. It is under the charge of an employee in the rank of 'Forest Guard'. The Forest Guard is responsible for protection of all the forests under his Beat and for undertaking all other activities related to forest management and activities ancillary to it.
- ii. Block:-** A 'Block' is the next higher field unit in the organizational structure on the Forest Department which generally comprises of a cluster of 3 to 4 beats. It is under the charge of an employee in the rank of 'Forester'. The Forester is responsible for protection of all the forests under his Block and for undertaking all other activities related to forest management and activities ancillary to it. The Forester is also the supervisory officer of all the Forest Guards working in his Block.
- iii. Range:-** A 'Range' is the next higher field unit in the organizational structure on the Forest Department above the Block and, normally, it comprises of 3 to 4 blocks. It is under the charge of an employee in the rank of Range Forest Officer. The Range Forest Officer is responsible for protection of all the forests under his

Range and for undertaking all other activities related to forest management and activities ancillary to it. The Range Forest Officer is also the supervisory officer of all the Forest Guards and Foresters working in his Range.

- iv. **Division:-** A 'Division' normally comprises of 2 to 4 Ranges and is the apex unit of the Department at the district level. The division is headed by an IFS/HFS Officer in the rank of Deputy Conservator of Forests/Divisional Forest Officer who acts as Drawing and Disbursing Officer of the department at the Division/District level. The Divisional Forest Officer is responsible for the execution and management of all works and upkeep and maintenance of Forest works within the Division and activities ancillary to it. The entire Forest Force in the Division works under his supervision and control.
- v. **Circle:-** A 'Circle' is the administrative unit of the Department, generally consisting of 4 to 5 Divisions and it is headed by an IFS Officer in the rank of Conservator of Forests. Conservator of Forests is responsible for the administration and general professional control of forestry works within the Circle. There are territorial and non-territorial circles. The non-territorial circles are mainly in the nature of 'Monitoring and Evaluation', 'Budget & Planning, Headquarters', 'Working Plan', etc, who discharge and look after specific responsibilities in the department at field level and in the head office.
- vi. **Region:-** A 'Region' is the next higher territorial administrative unit of the department. Generally, it comprises of 2 territorial Circles and it is headed by an IFS Officer in the rank of Chief Conservator of Forests. Chief Conservator of Forests is responsible for the supervision of all forestry works within the Region.
- vii. **Head Office:-** The Department is headed by an IFS Officer in the rank of Principal Chief Conservator of Forests (as Head of Forest Force in the Apex-scale). He is the administrative and professional head of the Department and is responsible for the efficient working of the Department working under the overall superintendence and control of the Government.

6. Time Schedule and process:

Save as otherwise provided in this policy, the time schedule regulating the transfers of Government Employees shall be as given below:

(i) **Periodicity of the transfers:** - As far as practicable, General Transfers shall be made only once in a year as per time schedule notified by the Government from time to time. However, transfers of Government Employees can be ordered by the Government/transferring authority at anytime during the year and in exception to the provisions of this policy under 'administrative exigency' and 'exceptional circumstances'

(ii) **Time Schedule:** -

Unless directed by the Government to be otherwise, the following time schedule shall be followed for various activities relatable to conduct of the exercise of 'General Transfer' every Financial Year (April to March) beginning from Financial Year 2019 – 20 : –

- a) Unless provided under this policy or directed by the competent authority to be otherwise, the decision about rationalization of staff/posts shall be completed during the month of December preceding the Financial Year for which the exercise is to be undertaken,
- b) Unless provided under this policy or directed by the competent authority to be otherwise, the transferring authority shall notify the 'actual vacancies' and 'deemed vacancies' during the month of January immediately preceding the Financial Year for which the exercise of General Transfer is being undertaken.
- c) Unless provided under this policy or directed by the competent authority to be otherwise, all such Government Employees who have completed or are likely to complete 'nearly 3 years' or, as the case may be, 'nearly 5 years' on the post occupied by them on the cutoff date shall have an option to submit their choice of station, in terms of this policy, during the month of February immediately preceding the Financial Year for which the exercise of General Transfer is being undertaken:
- provided that with reference to such Government Employees who have either failed to submit their choices within the time frame permissible for it under this clause or have chosen not to submit such choices within the said time frame shall be deemed to have opted to be posted anywhere within the State of Haryana and their cases shall be dealt with accordingly:
- provided further that with reference to such Government Employees who, though have submitted their choices within the time frame permissible for it under this clause, but in whose case their request, in terms of this policy, cannot be accommodated with reference to any of the choices offered by them, their case shall be dealt with under the presumption that they have deemed to have opted to be posted anywhere within the State of Haryana.
- Note 1: 'cutoff date' and 'nearly 3 years' and 'nearly 5 years' shall be reckoned with as explained in the 'Note' below sub-clause 8 of clause 4 of this policy.
- Note 2: Option once exercised within the permissible duration and under the provisions of this policy shall be final and shall not be allowed/ permitted to be changed/varied.
- d) Unless provided under this policy or directed by the competent authority to be otherwise, final transfer orders, in terms of this policy and relatable to the exercise of 'General Transfer' shall be made during the month of April of the Financial Year for which the exercise of General Transfer is being undertaken.
- e) Unless provided under this policy or directed by the competent authority to be otherwise, cutoff date for actual vacancies, deemed vacancies, points calculation, completion of nearly 3 years, completion of nearly 5 years, etc, within the meaning of this policy, shall be the 30th Day of the April of the Financial Year for which the exercise of General Transfer is being undertaken.

(ii) (A) Time Schedule (to be followed for the Financial Year 2018 – 19) :-

Unless directed by the Government to be otherwise, the following time schedule shall be followed for various activities relating to conduct of the exercise of 'General Transfer' for the Financial Year 2018 – 19 :-

- a) Unless provided under this policy or directed by the competent authority to be otherwise, the decision about rationalization of staff/posts shall be completed by 20th March, 2018.
- b) Unless provided under this policy or directed by the competent authority to be otherwise, the transferring authority shall notify the 'actual vacancies' and 'deemed vacancies' by 25th March, 2018.
- c) Unless provided under this policy or directed by the competent authority to be otherwise, all the Government Employees shall have an option to submit their choice of station, in terms of this policy, by 10th April, 2018:
provided that with reference to such Government Employees who have either failed to submit their choices within the time frame permissible for it under this clause or have chosen not to submit such choices within the said time frame shall be deemed to have opted to be posted anywhere within the State of Haryana and their cases shall be dealt with accordingly:
provided further that with reference to such Government Employees who, though have submitted their choices within the time frame permissible for it under this clause, but in whose case their request, in terms of this policy, cannot be accommodated with reference to any of the choices offered by them, their case shall be dealt with under the presumption that they have deemed to have opted to be posted anywhere within the State of Haryana.
Note 1: 'cutoff date' and 'nearly 3 years' and 'nearly 5 years' shall be reckoned with as explained in the 'Note' below sub-clause 8 of clause 4 of this policy.
Note 2: Option once exercised within the permissible duration and under the provisions of this policy shall be final and shall not be allowed/ permitted to be changed/varied.
- d) Unless provided under this policy or directed by the competent authority to be otherwise, cutoff date for actual vacancies, deemed vacancies, points calculation, completion of nearly 3 years, completion of nearly 5 years, etc, within the meaning of this policy, shall be the 30th Day of the April, 2018.

(iii) Government Employees liable to be transferred during the General Transfer:

- (a) Unless provided under this policy or directed by the competent authority to be otherwise, following class and categories of Government Employees shall be liable to be transferred by way of conduct of the exercise of General Transfer:
 - i. Such of the Government Employees who have completed 'nearly 3 years' of service at his existing place of posting;

- ii. Such of the Government Employees who have completed ‘nearly 5 years’ of service in the same district within which his existing place of posting falls;
 - iii. Such of the Government Employees who, as on the date of publication of this policy, were occupying a post listed under the ‘blocked posts’ in terms of this policy irrespective of the duration of stay on such a post;
 - iv. For the exercise of conduct of General Transfer pertaining to the Financial Year 2018-19, as a one time measure, all such Government Employees who, though do not fall under sub clause (i) to (iii) above, but yet have opted to be transferred.
- (b) Government Employees falling in category (i) to (iii) of sub-clause (a) above are entitled to submit their option in terms of this policy. With reference to such of Government Employees who have failed to submit their option in terms of this policy; it shall be presumed that they have opted to be transferred to any available post in the State.
- (c) For Government Employees falling in category (iv) of sub-clause (a) above, it shall be essential for them to submit their options in terms of this policy and submission of such option shall carry the presumption that they are willing to be transferred provided they get accommodated to any post mentioned in their so submitted option, otherwise they would like to continue at their existing posting.

(iv) Exercise of submission of option:

- a. Unless provided under this policy or directed by the competent authority to be otherwise, any Government Employee entitled to submit option, may submit option, on line, for any number of alternative posts available to be filled (i.e. listed under either the ‘actual vacancy’ or ‘deemed vacancy’ or ‘resultant vacancy’);
- b. Every such option shall be submitted in descending order of preference i.e. most sought after post to be listed at the first serial number and the least sought after post at the end of the list of preference.

7. Criteria for deciding the preferential claim to occupy the available vacancy (including ‘actual vacancies’, ‘deemed vacancies’ and any other vacancy becoming available) as a measure of ordering ‘General Transfer’:

- i) The General Transfer shall be made based on the principle of merit – cum – preference.
- ii) The relative merit to seek accommodation based on the preference as submitted by the respective Government Employee in terms of this policy shall be determined on the following criteria:
 - a. the relative merit of a Government Employee, based on his service record, etc, shall be assessed on a maximum of 80 credit points earnings;
 - b. the relative claim of the Government Employee in his respective category shall then be arrayed in descending order based on the credit points earned by them on the criteria so fixed and such an order shall be reckoned as the ‘relative inter-se ranking’ for the purposes of accommodation based on preference on the criteria of ‘merit – cum – preference’;

- c. the preference submitted by the concerned Government Employee shall, thereafter, be accommodated, based on this list of 'relative inter-se ranking' , on the basis of the 'highest ranking preference yet remaining available' in his case;
- d. in all such cases pertaining to the Government Employees, where either no preference has been made or the preferences having been made have been exhausted before the preferences of the said Government Employee became eligible to be considered depending on his relative merit, he shall be deemed to have chosen to be posted anywhere in the State out of the posts remaining un-allotted/vacant.

iii) The relative merit of the concerned Government Employee shall be determined on the following point earning criteria:

a) **Age:**

Sr. No.	Aspect	Maximum Points permissible to be earned	Calculation Criteria
1.	Age (present date minus date of birth)	60	Age in number of days ÷ 365 (the wholesome integral value discarding the fraction or decimal points). <u>Note:</u> if the value comes to be 50.21 or 50.98; it would be reckoned uniformly as 50.

b) **Other Criteria:**

Sr. No.	Aspect	Sub Aspect	Maximum points permissible to be earned	Calculation Criteria and remarks
1.	Gender	Female	03	03 points shall be earned by any female being a Government Employee.
2.	Special category of female employees	Widows / Divorcee / Legally Separated / Un-married female Employees of more than 40 years of age/wife of serving military personnel/paramilitary Personnel on the cutoff date.	02	a maximum of 2 points shall be earned by any Government Employee under this aspect of 'Special Category of female employees'.
3.	Special category of male employees	Widower (a male employee who has lost his wife and has not remarried) having one or more minor children or unmarried	02	a maximum of 2 points shall be earned by any Government Employee under this aspect of 'Special Category of male employees'.

		daughters on the cutoff date.		
4.	Differently challenged Government Employees	Visually Challenged	05	i) the respective weightage shall be determined in following terms owing to the degree of disability/challenge in each of the sub aspects: Below 40% disability= 01 point 40 % to 60% disability = 02 points 60 to 80% disability= 03 points Above 80% disability = 05 points ii) A maximum of 7 points shall be earned by any Government Employee for all the sub-aspects put together under this aspect of 'Differently challenged Government Employees'
		Locomotors	05	
		Deaf and Dumb	05	
5.	'Government Employees or their dependents suffering from diseases of debilitating disorders'. For this purpose, following diseases alone shall count: <u>List of Diseases</u> 1. Chronic Heart disease and Chronic Artery diseases. Chronic Renal Failure 2. Brain Tumours & Malignancy of different organs 3. Paraplegia/Cu Adriplegia/hemiplegia 4. Multiple Sclerosis, Myasthenia Gravis, Parkinson's Diseases 5. Thalassemia, Haemophilia, Aplastic Anaemias, Myelodysplastic Disorders 6. AIDS 7. Liver and Kidney transplant	Self	05 (irrespective of degree of disease)	i) for being eligible, the person suffering from the qualifying disease must have a Certificate issued by AIIMS (including its branches in Haryana), PGI Chandigarh, and all Government Medical Colleges of Haryana to be submitted by the concerned Government Employee as proof. ii) validity of such a certificate shall be up to 3 years from the date of issue. After 3 years, a new certificate shall be required to be submitted. iii) A maximum of 5 points shall be earned by any Government Employee for all the sub-aspects put together under this aspect of 'Government Employees or their dependents suffering from diseases of debilitating disorders'.
		Spouse/unmarried children	03 (irrespective of degree of disease)	

6.	Government Employees having differently challenged or mentally challenged minor children	Employee having differently challenged minor child/children with disability as defined under sub-aspect at Sr.No. 4 above.	05	i) for being eligible, the person suffering from the qualifying disease must have a Certificate issued by AIIMS (including its branches in Haryana), PGI Chandigarh, and all Government Medical Colleges of Haryana to be submitted by the concerned Government Employee as proof. ii) validity of such a certificate shall be up to 3 years from the date of issue. After 3 years, a new certificate shall be required to be submitted. iii) A maximum of 5 points shall be earned by any Government Employee for all the sub-aspects put together under this aspect of 'Government Employees having differently challenged or mentally challenged minor children'.
		Mentally challenged minor child/children.	05	
7.	Performance parameters	Forest official having ACRs pertaining to a period two years preceding the Financial Year for which the assessment of merit is being worked out.	i) overall ranking Outstanding = 05 ii) overall ranking Very Good = 02	For instance, when the merit is being worked out for the General Transfer pertaining to FY 2018-19, ACR of the year 2016-17 will be considered for availing points under this aspect/sub aspect.

provided that a Government Employee can earn a maximum of 20 credit points (20 credit point being the ceiling) out of the consideration of all the aspects included in the category of above stated 'other criteria'.

8. Transfers/Postings made on the grounds of 'Administrative Exigencies' and 'Exceptional Circumstances': –

The provisions of this policy shall not apply on the orders of transfers and postings made on the grounds of 'Administrative Exigencies' and/or on grounds of 'Exceptional Circumstances'. Such orders shall not attract any provisions of this policy and shall be considered to have been made under the general and plenary power vested in the Employer to decide how, where and in what manner to take work from the employee:

Provided that such orders, unless the urgency of the matter requires it to be so authorized otherwise, shall not ordinarily be authorized to be issued without obtaining the approval of the Chief Minister of Haryana. Such an approval may not always be obtained/conveyed in writing and a mere recording of the authority authorizing the order that the consent/approval on behalf of Chief Minister has been obtained shall be sufficient to meet this requirement.

9. Power to relax:-

Where the Government is satisfied that the operation of all or any or some of the provisions of this policy causes undue hardship in any particular case, it may, by order, dispense with or relax

or amend or substitute the requirements of provision(s) to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

10. Power to make addition or deletion, etc. :-

Where the Government is satisfied that there is a necessity to make additions or delete any or some of provisions included in this Policy or part(s) thereof, either permanently or temporarily, the Government will be competent to add or delete or change such conditions.

11. Interpretation :-

If any question arises relating to the interpretation of any of the provisions of this Policy, it shall be referred to the Government for decision and the decision of Government thereupon shall be final and binding on all concerned.

12. Residuary provisions :-

In the event of any general or special circumstance which is not covered under this Policy or about which certain inconsistency comes to the notice, the matter shall be referred to the Government and Government will prescribe the conditions to be followed under such circumstances. Such conditions as prescribed by the Government under this provision shall be deemed to be part of this Policy. Further, if the Government is satisfied that there is a requirement to prescribe certain additional provisions under this Policy, the Government shall prescribe such provisions and such additional provisions as prescribed by the Government under this clause shall be deemed to be the part of this Policy.

S.N. Roy

Principal Secretary to the Government of Haryana
Department of Forest & Wild Life