

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.160/2020

DATED THIS THE 04TH DAY OF MARCH, 2020

HON'BLE DR. K.B. SURESH, MEMBER(J)

HON'BLE SHRI C.V. SANKAR, MEMBER(A)

P. Umashankar,
S/o Putta Mallaiah,
Aged about 46 years,
Post Master Grade-I
(Under Suspension)
Domlur S.O.,
Bangalore-560 017.
R/at No. 59, Ayyappa Nagar,
K.R. Puram,
Bangalore-560 036.

...Applicant.

(By Advocate Shri P. Kamalesan)

V/s.

1.The Union of India,
Rep. By its Secretary,
Department of Posts,
Sanchar Bhavan,
New Delhi-110 001.

2.The Chief Postmaster General,
Karnataka Circle,
Bangalore-560 001.

3.Senior Superintendent of Post Offices,
Bangalore East Division,
Bangalore-560 025.

....Respondents.

(By Shri Vishnu Bhat, Standing counsel for the Respondents)

O R D E R (ORAL)

HON'BLE DR K.B. SURESH, MEMBER(J)

Heard Shri P. Kamalesan, learned counsel for the applicant and Shri

Vishnu Bhat, learned counsel for the respondents in great detail. The respondents produces one report No.F/6-4/2018-19/CAT case dated 03.03.2020 by the Senior Superintendent of Pos., to the Postmaster General(LC), which we quote:

No.F/6-4/2018-19/CAT case AT Bengaluru560 025 the dated 03.03.2020

Sub: - Alleged misappropriation of treasury cash at Domlur Po
-C/O Sri P. Umashankar, LSG Postmaster, Domlur PO (U/S)- reg.

With reference to the email dated 03.03.2020 received from legal cell Circle office, the brief history of the case and details of the suspension reviews that were taken up are furnished below as desired please.

Brief history of the case:

A case of keeping huge amount of DOP cash at Domlur PO was noticed from the DOP cash balance held at Domlur PO since 09.06.2018, while reviewing the DOP cash balance with the POS cash balance of various Post Offices of this division. On noticing the huge amount of DOP cash carried forward, the SAs of the division were directed to check the discrepancy of the Domlur PO at SO level. During their check at SO level though few instances of non posting of transactions to the tune of Rs. 1,33, 734/- was noticed, the DOP cash continued to be very huge at Domlur PO exceeding Rs. 10 lakhs hence ASP BG East Sub Dn III was directed to visit Domlur PO on 18.03.2019, who started the preliminary investigation.

2. During the preliminary investigation, the DOP cash report and the POS cash report dated 16.03.2019 (the last synced report) was checked and found that huge DOP cash balance of Rs 13,88,923.22 was kept in office. From the manual records, the actual cash available was Rs 1,68,921/-, thereby there was a difference of Rs.12,20,002.22ps. Sri P. Uma Shankar, is working as PM Gr.I, Domlur PO since 04.01.2017, who is in charge of DOP cash (Treasurer). It was also noticed that the entire amount of POS cash was transferred to the treasurer and was zero. Thus a shortage of Rs.12,20,002.22/- was clearly established. While verifying the DOP cash, it was further noticed that Sri P. Uma Shankar had intended for heavy cash without any clear liability and the Postmaster, HAL II Stage HO had also sent cash to Domlur PO without any verification of the liabilities. Hence, it was suspected that Sri P. Uma Shankar was not maintaining the exact physical cash with that of the DOS cash balance and was keeping shortage of cash.

2. Therefore, surprise visit to Domlur PO was made by ASP BG East Sub Division III and ASP ® on 20.03.2019 and they proceeded to tally the days account and found, instead of the actual DOP cash of Rs. 15,02,782.22/- onlyRs.31,586/- was available as physical cash, hence there was shortage of Rs.14,71,196.22/-, the same was charged to UCP on 20.03.2019. Sri P. Uma Shankar Postmaster Gr.I was placed under suspension with effect from 20.03.2019 A/N vide memo of even no dated 20.03.2019.

3. As there was prima facie case, past work verification of Sri P. Uma Shankar Postmaster Gr.I, was taken up immediately and a team consisting of ASP II, and two System Administrators was formed. During the past work verification it was found that Sri P. Uma Shankar has not tallied the accounts properly daily, but had made multiple mistakes, such as non accounting of payments and non accounting of remittances received/made to HO on various dates.

4. The past work verification is almost at the stage, except for reconciling certain RSAO postings at Domlur SO. With regard to tallying and

reconciling at HO level, based on the daily transaction reports received at HO, along with the receipts and vouchers, irregularities and improper accounting like the following have been noticed.

i) Further, following irregularities/transactions were noticed.

Date	Receipts	Description	Payments
09.06.2018	20,00,000	Cash in transit reversal	
09.06.2018		Cash in transit reversal	18,00,000
11.08.2018		Cash in transit reversal	1,84,000
27.12.2018		RSAO Amount shown twice Without GST to be reversed	1,37,508
31.12.2018		RSAO Amount shown twice Without GST to be reversed	74,100
07.01.2019	2,31,285	SB Deposit total amount of the LOT entered twice	
07.01.2019	1,55,500	SB Deposit total amount of the LOT entered twice	
Total	23,86,785		21,95,608

ii) The unaccounted bills/vouchers/Aquittance Roll amounting to Rs.2,76,848/- were found for accounting.

Recovery:

Against the shortage of cash of Rs 9,81,624.82 (after adjustment of 5i & ii) Sri P. Uma Shankar has so far credited an amount of Rs. 5,00,000/- (Rupees Five lakhs only) as detailed below:

- i) Rs.1,00,000/- on 04.04.2019 vide GL code No.8855300236
- ii) Rs.50,000/- on 27.04.2019 vide GL code No.1800423500
- iii) Rs.50,000/- on 04.06.2019 vide GL code No.1800423500
- iv) Rs.20,000/- on 13.07.2019 vide GL code No.432010123
- v) Rs.1,00,000/- on 20.07.2019 vide GL code No.43201001235.

Suspension and Reviews:

Sri P Uma Shankar PM Gr I (now LSG Postmaster) was placed under suspension on 20.03.2019 A/N. The suspension was reviewed thrice dated 11.06.2019, 11.09.2019 & 15.12.2019. In view of a large amount of shortage still to be credited by him, the, the suspension was extended for further period of 90 days. Fourth review is due on 14.03.2020.

In the preliminary investigation, it is revealed that he has no immovable assets, he is also involved in family court case No.Crl Misc 75/2019 wherein the court has orders for recovery of Rs 15000/- per month from his salary which is also implemented. On appeal it was ordered to recover Rs.7500/- by the Hon'ble court vide R P F C NO 100055/2019 dated 20.12.2019 and has been implemented accordingly.

DISCIPLINARY ACTION:

Due to multiple mistakes in day to day accounting at Domlur sO, and verification of documents which are sent to HO, the collection of documents from various branches and its authentication/correct check has delayed the filing of the charge sheet. However, the issue of charge sheet is in final stage and will be released shortly.

The verification at HAL II Stage HO is also ordered to be taken up by ASP, BG

East sub Dn II, with regard to the accounting at HAL II Stage HO, of the Domlur SO figures.

PROSECUTION:

Asp, BG East Sub Dn II is directed to lodge the Police complaint on the basis of the provable documents on the amount arrived on completion of past work verification.

Senior Superintendent.”

2. Therefore think that this is not a proper case to invoke the provisions of Ajay Kumar Choudhary of the Hon’ble Apex Court. But at the same time, rights of the applicant must be protected. Therefore, we will pass a conditional order:

- 1.The charge sheet will be finalized and issued to the applicant within one month.
- 2.Thereafter the respondents may decide to reinstate him back into service or in lieu of it pay full salary to the applicant till the enquiry is completed.
3. The enquiry will be completed within the next 3 months and appropriate orders will be passed.

3. The applicant will participate and co-operate with the enquiry to the fullest extent. We grant further liberty to both the parties to seek further clarification if they need any. OA disposed of. No costs.

(C.V.SANKAR)
MEMBER(A)

(DR. K.B. SURESH)
MEMBER(J)

Vmr

Annexures referred to by the Applicant in OA.160/2020

- Annexure A-1: Copy of Sr. Supdt of Post Offices, Bangalore Memo dated 20.3.2019.
- Annexure A-2: Copy of Sr. Supdt of Post Offices, Bangalore Memo dated 16.9.2019.
- Annexure A-3: Copy of Sr. Supdt of Post Offices, Bangalore Memo dated 16.12.2019.
- Annexure A-4: Copy of Apex Court order dated 16.2.2015 in CA.No.1912/2015 in SLP No.31761/2013.