

50100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 176/2004.....

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SECTION OFFICER (Judl.)

Gahal
10/11/17

FOR. NO. 1
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Org. App/Misc. Petn/Cont. Petn/Rev. App.....176/04.....

In O.A.

Name of the Applicant(s) Dr. D. Singh

Name of the Respondent(s) N. C. I. GUMI

Advocate for the Applicant Mr. A. Ahmed

Counsel for the Railway/C.G.S.C.

OFFICE NOTE	DATE	ORDER OF THE TRIBUNAL
	11.8.2004	Present: The Hon'ble Shri K.V. Prahladan Administrative Member.

This application is in form
is filed C. P. C. 15/2004
deposited v.d. 17/6/2004
No. 116389746
Dated 3.6.04

Dy. Registrar

Stamps taken with
envelops.

Dai

CAS

The O.A. is filed against the transfer order dated 14.6.2004 transferring the applicant from NBSS&LUP, Regional Centre, New Delhi to Regional Centre, Jorhat as well as relieving order dated 17.6.2004.

The applicant has joined at Regional Centre, Jorhat in terms of the transfer order. However, he has filed a representation to the ~~Examiner~~ Secretary DARE & Director General ICAR, New Delhi dated 22.6.2004 requesting for his transfer back to NBSS & LUP, Regional Centre, New Delhi, which is yet to be disposed of.

I have heard Mr. A. Ahmed, learned counsel for the applicant and also Mr. A.K. Chaudhuri, learned Addl.C.G.S.C. for the respondents. Considering the facts and circumstances of the case, I am of the view that ends of justice will be met, if a direction is issued upon the respondents to dispose of the representation dated 22.6.2004 filed by the

Contd.

11.8.2004 applicant. Accordingly, respondents are directed to dispose of the representation mentioned above by a considered and reasoned order within a period of two months time from the date of receipt of this order.

Transfer entitlement

His ~~ATA/Joining Time etc.~~ /if not already paid, shall be paid to the applicant as per Rules within a period of one month from the date of receipt of the order.

Subject to the observations made above, the application stands disposed of at the admission stage itself. No costs.

K.V.Prahladan
(K.V.PRAHLADAN)
ADMINISTRATIVE MEMBER

bb

31.8.04
Copy of the application alongwith order has been sent to the Dsec. for issue the same to the Regd. No 1 to 4 by Post at the cost of the applicant.

K.V.

13.8.04
copy of the order has been sent to the Dsec. for issuing the same to the applicant as well as to the Addl. Sec. for the Regd.

*Recd copy
AK/Ch 19/8/04*

10 AUG 2004

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATE

(AN APPLICATION UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNAL ACT 1985)

ORIGINAL APPLICATION NO. 176 OF 2004.

BETWEEN

Dr.Dharam Singh

...Applicant

-Versus-

The Union of India & Others

...Respondents

LIST OF DATES AND SYNOPSIS

Annexure-A is the photocopy of Office Order FNO.3-129/04-
Admn./4557/6 Dated 14-02-2004.

Annexure-B is the photocopy of Office Order
No.RCD/Tech/553/6 Dated 17th June 2004.

Annexure-C is the photocopy of complain letter dated 3rd July
2003 submitted by the Applicant before the Director,
Vigilance (ICAR), New Delhi.

Annexure-D is the photocopy of Office Order No.33/5/2004
dated 17th May 2004 issued by the Government of India, Central
Vigilance Commission.

Annexure-E is the photocopy of Representation dated 22nd June
2004.

This Original Application is made against the impugned Office
Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 and Office
Order No.RCD/Tech/553/6 Dated 17th June 2004 issued by the
Respondent No.3 & 4 respectively.

5

RELIEF SOUGHT FOR:

That the Hon'ble Tribunal may be pleased to direct the Respondents to set aside and quash the Impugned Transfer Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 and Office Order No.RCD/Tecl/553/6 Dated 17th June 2004 issued by the Respondent No.3 & 4 respectively.

To Pass any other relief or relieves to which the Applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

To pay the cost of the application.

INTERIM ORDER PRAYED FOR:

The Applicant prays before this Hon'ble Tribunal seeking an interim order by this Hon'ble Tribunal by giving a direction to the Respondents particularly Respondent No.2 dispose up the Representation dated 22nd June 2004 submitted by the Applicant for cancellation of his Transfer Order (At Annexure-E).



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI

(AN APPLICATION UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNAL ACT 1985)

ORIGINAL APPLICATION NO. OF 2004.

BETWEEN

Dr.Dharam Singh

Senior Scientist,

National Bureau of Soil Survey & Land Use
Planning, Regional Centre Jorhat, Jamuguri Road,
Borbheta, Jorhat-785004.

...Applicant

-AND-

1. The Union of India represented by the Secretary to the Government of India, Ministry of Agriculture, Krishi Bhawan, New Delhi-1.
2. The Secretary, Department of Agriculture Research Education & The Director General, ICAR, Krishi Bhawan, New Delhi-1.
3. The Director, National Bureau of Soil Survey and Land Use Planning (ICAR), Amravati Road, Shankar Nagar, P.O.-Nagpur, Pin-440010.
4. Dr.S.P.Singh,
Principal Scientist and Head Regional Centre,
National Bureau of Soil Survey and Land Use Planning, IARI Campus, New Delhi-110012.

... Respondents



Filed b7D
Dr. Dharam Singh
through M.L. Application
(Adv. Amrapali Adwani)

1) DETAILS OF THE APPLICATION PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

This Application is made against the impugned Office Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 and Office Order No.RCD/Tech/553/6 Dated 17th June 2004 issued by the Respondent No.3 & 4 respectively.

2) JURISDICTION OF THE TRIBUNAL

The Applicant declares that the subject matter of the instant application is within the jurisdiction of the Hon'ble Tribunal.

3) LIMITATION

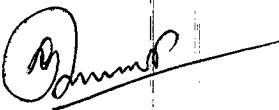
The Applicant further declares that the subject matter of the instant application is within the limitation prescribed under Section 21 of the Administrative Tribunal Act 1985.

4) FACTS OF THE CASE:

Facts of the case in brief are given below:

4.1) That your humble Applicant is a citizen of India and as such he is entitled to all rights and privileges guaranteed under the Constitution of India.

4.2) That your Applicant begs to state that he has joined as Senior Technical Assistant (T-4) at Central Soil & Water Conservation & Research Training Institute at Bellary (Karnataka) on 02-11-1981 and he served there up to 12-11-1984. There after he has joined as Farm Manager (Technical Officer) T-6 on direct selection and posted at Central Agriculture Research Institute, Port Blair on 13-11-1984. He has served at Port Blair, which is a very difficult and remote area for seven and one month i.e. up to 25-12-1991. He was transferred from Port Blair on request to Indian Veterinary Research Institute, Izat Nagar as Senior Farm Manager (T-7) and served there up to 13-06-1995. He was on deputation to the Ministry of Agriculture, Krishi Bhawan, New Delhi in the post of Assistant Commissioner, Fodder Development. He served there up to 28-12-1999. There after he was selected to the post of Senior



Scientist at National Bureau of Soil Survey & Land use Planning at Nagpur. He joined there on 29-12-1999. On 08-03-2000 he was transferred to Kolkata Regional Centre of National Bureau of Soil Survey & Land use Planning. On 26-07-2000 he was transferred to National Bureau of Soil Survey & Land use Planning Regional Centre at New Delhi on his request. There after he was transferred to Jorhat Regional Centre vide Office Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 issued by the Office Of the Respondent No.3. The said transfer Order was received by the Respondent No.4 on 17th June 2004 and the Respondent No.4 namely Dr.S.P.Singh, Principal Scientist and Head of Regional Centre, New Delhi vide his Office Order No.RCD/TECH/553/6 Dated 17th June 2004 stands relieved your Applicant from his duty i.e. on 17-06-2004 afternoon by violating all the norms and procedures of Service Jurisprudence. The Original Transfer Order dated 14th June 2004 issued by the Office of the Respondent No.3 it has been clearly stated in the said Transfer Order that the Applicant will be entitled to TTA/Joining Time etc. as per Rules. But surprisingly the Respondent No.4 by violating and throwing away all the norms and procedure prescribed under the Service Jurisprudence issued a Punitive Transfer Release Order dated 17th June 2004 by which your Applicant was not given any opportunity to claim his legitimate dues of TTA/Joining Time etc. as per Rule. It may be stated that your Applicant has protested over the unfair and injustice action of the Respondent No.4 namely Dr.S.P.Singh's order of stands relieve by writing his submission before the concerned authority. He was compelled to hand over charge and he was denied to his legitimate advance T.A. to join at his new place of posting at Jorhat. In such peculiar condition he was forced to join at Jorhat (Assam). The above said transfer order was not made for any public interest but it is made only on personal grudge of the Respondent No.4 Dr.S.P.Singh towards your Applicant. Because your Applicant has lodged complain against the Respondent No.4 on 3rd July 2003 before the Director, Vigilance, ICAR, Krishi Bhawan, New Delhi for his financial irregularities at Regional Centre, New Delhi. The said Complain has not yet been disposed up by the competent authority. It is worth to mention here that the Government of India vide Office Order No.33/5/2004 dated 17th May 2004 has brought to the notice of the Secretaries/CEO/CMD's of Government of India that "the CVO is to



ensure that no punitive action is taken by any concerned administrative authority against any person on perceived reasons/suspicious of being "whistle blower""

Annexure-A is the photocopy of Office Order FNO.3-129/04-Admn./4557/6 Dated 14-02-2004.

Annexure-B is the photocopy of Office Order No.RCD/Tech/553/6 Dated 17th June 2004.

Annexure-C is the photocopy of complain letter dated 3rd July 2003 submitted by the Applicant before the Director, Vigilance (ICAR), New Delhi.

Annexure-D is the photocopy of Office Order No.33/5/2004 dated 17th May 2004 issued by the Government of India, Central Vigilance Commission.

4.3) That your Applicant begs to state that after receiving the Impugned Transfer Order dated 17th June 2004 your Applicant filed a Representation on 22nd June 2004 before the Respondent No.2 requesting him for cancellation of his Transfer Order from New Delhi to Jorhat on Medical ground and also for his Daughter's Academic interest.

Annexure-E is the photocopy of Representation dated 22nd June 2004.

4.4) That your Applicant begs to state that he had already joined at Jorhat Regional Centre, Assam by abiding the impugned transfer order. It may be stated that your Applicant had all along carried his Transfer Order without any protest, even he had served in remote place of Andaman Nicobar Island for about seven and half years which is much more than his normal tenure posting as specified by the Government of India Office Memorandum.

4.5) That your Applicant begs to state that he had already served in the Remote place like Andaman Nicobar Island and now after serving



there he has been again transferred to North Eastern Region which is far away from his home town i.e. Gaziabad, Uttar Pradesh. The impugned Transfer Order has been hampered his normal family life and he has been forced to leave alone his daughter of XII Standard and his aged mother with his wife who is suffering from Fibroid disease.

4.6) That your applicant begs to state that action of the respondents are illegal, arbitrary, malafide and also not sustainable before the eye of law as well as in facts. As such finding no other alternative your Applicant is compelled to approach this Hon'ble Tribunal for seeking justice in this matter.

4.7) That your applicant begs to state that the Respondents particularly the Respondent No.4 have mentally and physically tortured your Applicant by passing instant release order from New Delhi without availing any TTA/Joining Time etc. as per Rule. The Act of Respondent No.4 is total violation of Principle of Natural Justice. From this it is very clear that the Respondent No.4 executed the Transfer Order of the Applicant in a whimsical and arbitrary manner.

4.8) That your Applicant begs to state that the representation dated 22nd June 2004 (At Annexure-F) submitted by the Applicant against the Impugned Transfer Order have not yet been disposed up by the Respondent No.2.

4.9) That your Applicant submits that he has got reason to believe that the Respondents are resorting the colorable exercise of power to accommodate their interested persons in their favourable place.

4.10) That your applicant submits that the action of the Respondents is in violation of the fundamental rights guaranteed under the Constitution of India and also in violation of principles of natural justice.

4.11) That your applicant submits that the action of the Respondents by which the action of the Respondents by which the applicant has been deprived of his legitimate rights is arbitrary. It is further stated that the



Respondents have acted with a mala-fide intention only to deprive the Applicant from his legitimate right.

4.12) That your Applicant submits that the action of the Respondents is highly illegal, improper, and whimsical and also against the Basic Principle of Service Jurisprudence.

4.13) That your Applicant submits that the Respondents have violated the fundamental rights of the Applicant.

4.14) That this application is filed bonafide and for the interest of justice.

5) GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1) For that, due to the above reasons narrated in detail the action of the Respondents is in *prima facie* illegal, malafide, arbitrary and without jurisdiction. Hence the Impugned Transfer Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 and Office Order No.RCD/Tech/553/6 Dated 17th June 2004 issued by the Respondent No.3 & 4 respectively may be set aside and quashed.

5.2) For that, the Respondent No.4 have violated the Service Jurisprudence as well as Natural Justice in the Case of the Applicant by issuing instant release order without giving any opportunity to the Applicant for drawing Advance Transfer TA and other facilities which are legally entitled for the Applicant. Hence the Impugned Transfer Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 and Office Order No.RCD/Tech/553/6 Dated 17th June 2004 issued by the Respondent No.3 & 4 respectively may be set aside and quashed.

5.3) For that, the Applicant has already served in a remote place like Andaman Nicobar Island much more than his Normal tenure and there is no Justification on the part of the Respondents to transfer him again to remote North Eastern Region. Hence the Impugned Transfer Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 and Office Order



No.RCD/Tech/553/6 Dated 17th June 2004 issued by the Respondent No.3 & 4 respectively may be set aside and quashed.

5.4) For that, the face of the order dated 17th June 2004 issued by the Respondent No.4 itself appears that the said Impugned Transfer Order of the Applicant is made on full personal grudge of the Respondent No.4 towards the Applicant. Hence the Impugned Transfer Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 and Office Order No.RCD/Tech/553/6 Dated 17th June 2004 issued by the Respondent No.3 & 4 respectively may be set aside and quashed.

5.5) For that, the Respondents have violated the Article 14,16 & 21 of the Constitution of India.

5.6) For that, the Respondents have not cared to give any reply of the Representation submitted by the Applicant on 22nd June 2004 and by this way the Respondents have mentally tortured Applicant. Hence the Impugned Transfer Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 and Office Order No.RCD/Tech/553/6 Dated 17th June 2004 issued by the Respondent No.3 & 4 respectively may be set aside and quashed.

5.7) For that, the action of the respondents is arbitrary, mala-fide and discriminatory with an ill motive.

5.8) For that, in any view of the matter the action of the respondents are not sustainable in the eye of law as well as fact.

The Applicant craves leave of this Hon'ble Tribunal advance further grounds the time of hearing of this instant Application.

6) DETAILS OF REMEDIES EXHAUSTED:

That there is no other alternative and efficacious and remedy available to the applicant except the invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.



7) MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT:

That the applicant further declares that he has not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other court, authority, nor any such application, writ petition or suit is pending before any of them.

8) RELIEF SOUGHT FOR:

Under the facts and circumstances stated above the applicant most respectfully prayed that Your Lordship may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief and relieves sought for the applicant may not be granted and after hearing the parties may be pleased to direct the Respondents to give the following relieves.

- 8.1) That the Hon'ble Tribunal may be pleased to direct the Respondents to set aside and quash the Impugned Transfer Order F.No.3-129/04-Admn. /4559/6 Dated 14th June 2004 and Office Order No.RCD/Tech/553/6 Dated 17th June 2004 issued by the Respondent No.3 & 4 respectively.
- 8.2) To Pass any other relief or relieves to which the applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.
- 8.3) To pay the cost of the application.

9) INTERIM ORDER PRAYED FOR:

The applicant prays before this Hon'ble Tribunal seeking an interim order by this Hon'ble Tribunal by giving a direction to the Respondents particularly Respondent No.2 dispose up the Representation



dated 22nd June 2004 submitted by the Applicant for cancellation of his Transfer Order (At Annexure-E).

10) Application is filed through Advocate.

11) Particulars of I.P.O.:

I.P.O. No. 116389746

Date of Issue 3.6.2004

Issued from Guwahati C.P.O.

Payable at Guwahati

12) LIST OF ENCLOSURES:

As stated above.

Verification

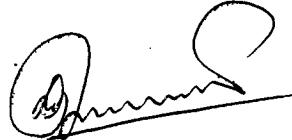


VERIFICATION

I, Dr.Dharam Singh, Senior Scientist, National Bureau of Soil Survey & Land Use Planning, Regional Centre Jorhat, Jamuguri Road, Borbheta, Jorhat-785004 do hereby solemnly verify that the statements made in paragraph nos. 4.1, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8 — are true to my knowledge, those made in paragraph nos. 4.2, —

— are being matters of records are true to my information derived there from which I believe to be true and those made in paragraph 5 are true to my legal advice and rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this ~~6th~~ ^{6th} day of ~~August~~ August 2004 at Guwahati.



NATIONAL BUREAU OF SOIL SURVEY & LAND USE PLANNING
AMRAVATI ROAD : SHANKAR NAGAR P.O. : NAGPUR-440010

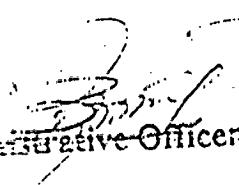
Date: 14th June, 2004

F.No.3-129/04-Admn/ 4559/6

OFFICE ORDER

The Director, NBSS&LUP, Nagpur is pleased to transfer Dr. Dharam Singh, Senior Scientist from NBSS&LUP, Regional Centre, Delhi to Regional Centre, Jorhat with immediate effect in public interest until further orders.

He will be entitled to TTA/Joining Time etc. as per rules.


Administrative Officer

Distribution:

1. The Head, Regional Centre, NBSS&LUP, Delhi alongwith a copy of transfer order to be delivered to the individual for needful action.
2. The Head, Regional Centre, NBSS&LUP, Delhi
3. The Head, Regional Centre, NBSS&LUP, Jorhat for information
4. The Senior Finance & Accounts Officer, NBSS&LUP, HQrs., Nagpur
5. The Drawing & Disbursing Officer, NBSS&LUP, Regional Centre, Delhi with a request to send the LPC of concerned staff to his respective place of posting.
6. The Drawing & Disbursing Officer, NBSS&LUP, Regional Centre, Jorhat
7. PS to Director for information

528

17/6/2004

Delhi

Attested
Advocate



National Bureau of Soil Survey & Land Use Planning
REGIONAL CENTRE DELHI: IARI CAMPUS: NEW DELHI-12

Phone: 25844624, 25840166 Telefax: +91 (011) 25840166 Telegram: SOILCORE, NEW DELHI-12

S.P.Singh
Principal Scientist & Head

No. RCD/Tech/ 553/6
Dated 17th June 2004

OFFICE ORDER

As per the Director's office order no F.No.3-129/04-Admn./4559/6 dated 14th June, 2004, (copy enclosed) Dr. Dharam Singh, Sr. Scientist, NBSS&LUP, Regional Centre Delhi, on his transfer to Regional Centre Jorhat stands relieved of his duties today i.e. 17.6.2004 afternoon. He should hand over the charge to Dr. Jagat Ram, Principal Scientist, Regional Centre Delhi.


(S.P. Singh)

To
Dr. Dharam Singh
Sr. Scientist
Regional Centre Delhi

Distribution:

1. The Director, NBSS&LUP, Nagpur, for his kind information.
2. Dr. Dipak Sarkar, Head, Regional Centre Calcutta
3. Dr. U. Baruha, Incharge Regional Centre Jorhat, Assam Agricultural University Campus, Jorhat
4. Dr. Jagat Ram, Principal Scientist, Regional Centre Delhi
5. The Asstt. Admin. Officer/DDO, Regional Centre Delhi
6. The Bill Assistant, Regional Centre Delhi, for necessary action.

*After read
J.S.
Karan*

To

The Director Vigilance (ICAR)
 Indian Council of Agricultural Research
 Krishi Bhawan, New Delhi-110001

Dated 3 July 2003

Sir,

I would like to submit the following for your kind information and necessary action:-

On my joining at Delhi Centre, after my transfer from Calcutta, I was asked to act as DDO in the absence of regular AAO/ DDO, Sh. R.L. Pahuja vide office order No. RCD/1283/11 dated 25.08.2001 with immediate effect (A copy enclosed). Thereafter, I was asked to look after stores in the absence of regular store officer vide letter no. RCD/1323/14 dated 1.9.2001 (a copy enclosed).

Sh. R.L. Pahuja, AAO/DDO was relieved from this office on 10.9.2001 and I was given the regular charge of DDO vide letter No. RCD/26-144/937/1429/15 dated 10.9.2001. I discharged the duties of DDO regularly and of AAO with some gaps till Sh. R.K. Sharma, AAO joined this office. Sh. R.K. Sharma went on E.L. on 9.9.2002 and I was given the charge of AAO/DDO vide RCD/1071/4 dated 3.9.02.

After availing the E.L., Sh. R.K. Sharma joined the office on 24.9.⁰² but he was not given the charge of DDO and thus the charge of DDO remained with me till 20.11.02 when I handed it over to Dr. R.P. Dhankar.

During this period, I had noted many financial and administrative irregularities and expressed my opinion to Dr. S.P. Singh, Head Regional Centre but he compelled me to continue with these irregularities. I worked as per his wishes for some time but could not yield to his wrong pressure for long. Ultimately, One day I refused to pass such bills, which were not appropriate. As a result, the charge of DDO and the Store Officer (in the absence of regular Incharge) were withdrawn without any intimation to me. Not only that he also started harassing me even on very small matters like one-hour permission for casual leave etc. The financial irregularities noticed during the period, I discharged the duties of DDO and Store Officer are given below:-

♦ **False Verification of Security bills:-** Five Security Guards were actually working for office security but on records the verification of 7 and later on 8 security guards were falsely verified for the payment to the Security Agency.

*A. H. S.
J. J. Edwards*

♦ Termitc control treatment:- Treatment was given in room no.1, 3 and 4 of the office but I was forced to verify the bills for all the rooms. The bills were splitted to avoid the sanction of the higher authorities and the audit objection. The list of the bills is enclosed which clearly shows the intentional splitting of bills byepassing the right procedure.

BILL No.	Date of bills submitted by stores	Amount
1862	05.03.02	9310-00
1838	14.03.02	9190-00
3880	27.03.02	19400-00
1927	27.03.02	9635-00
3898	27.03.02	19494-00
1974	27.03.02	9870-00
2144	30.03.02	10616-00

The bills were to be verified by the occupants (Scientists) of the rooms, which was not intentionally done.

♦ The Koltar felting:- It was also done on the roof of room no. 1, 2, 3 and 4 but the bills were submitted for the entire roof. The bills were again intentionally splitted to avoid the sanction of the higher authority and the objection of the audit. The list of bills is given below for reference:-

Date of verification of Bills	Date of bills submitted by stores	Amount
	28.08.02 (two vouchers)	19440-00
02.09.02	04.09.02	9720-00
02.09.02	19.09.02	9720-00
05.09.02	19.09.02	9072-00
05.09.02	19.09.02	9072-00
24.09.02	16.10.02	9720-00
12.09.02	16.10.02	9072-00
3.10.02	25.01.03	9720-00
25.02.03	03.03.03	9720-00
10.03.03	-----	9720-00
27.03.03	-----	9720-00

The bills were again not verified by the occupant scientist of the rooms. These facts can be still verified physically.

After
Advocate

Some other examples of fabricated bills

- A vehicle No. 'DL 4929 was driven by a daily wage driver, Sh. Balwinder Singh who got diesel at Panipat for Rs.500/- vide receipt No.15206 dated 26.09. 02. It was found from the office records that on 26.09.02, Dr. S.P. Singh was not on official tour and the Govt. vehicle was misused for personal purpose.
- Two bills of the same nos. and from the same firm have been passed by tempering its printed nos. for two different Vehicles (Photo copy of the bills enclosed).
- During this period, I was pressurised several times by the Head Regional Centre to prepare the bills of Sh. Balwinder Singh, DPL (driver) without any financial sanction from the competent authority.

I would also like to mention that during 2001-2002, I was conducting the field experiments on farmer's fields under TMC project at Sri Ganga Nagar and Bhatinda districts. As a part of experiments, I have purchased inputs like insecticides, seeds fertilizers etc. with due financial sanction and approval from the HRC Delhi. As long as I yielded to the pressures of the Head Regional Centre, my bills were passed without any objections. The moment I raised objections to the irregularities, not only the charge of DDO and Store Officer were withdrawn but also I was being harassed with one pretext or the other. Objections were made in the passing of my bills with the reason that I have not followed the right procedure. I have already intimated this matter to the Director, NBSS&LUP, Nagpur vide letter dated 04.04.03 followed by the reminder on 28.04.03. Earlier, the bills following the same procedure were passed without any objections. The gravity of my harassment can be judged from the number of irrelevant memos given to me (copy enclosed)

This is to inform you that due to these memos, I am under great mental pressure which may cause me any mental health problem. Before the matter becomes more serious and out of control, I request your goodself to kindly intervene in the matter to relieve me from the unnecessary harassment.

With regards,

Yours faithfully

(Dharam Singh)

Sr. Scientist

(Handwritten signature of Dharam Singh)

— 16 —

ANNEXURE - I

No.004/VGL/26
Government of India
Central Vigilance Commission

Satarkta Bhawan, Block 'A',
GPO Complex, INA,
New Delhi- 110 023
Dated the 17th May, 2004

Office Order No. 33/5/2004

Subject:- Govt. of India Resolution on Public Interest Disclosures & Protection of Informer.

The Government of India has authorised the Central Vigilance Commission (CVC) as the 'Designated Agency' to receive written complaints for disclosure on any allegation of corruption or misuse of office and recommend appropriate action.

2. A copy of the Public Notice issued by the Central Vigilance Commission with respect to the above mentioned Resolution is enclosed. All CVOs are further required to take the following actions with respect to the complaints forwarded by the Commission under this Resolution:

- (i) All the relevant papers/documents with respect to the matter raised in the complaint should be obtained by the CVO and investigation into the complaint should be commenced immediately. The investigation report should be submitted to the Commission within two weeks.
- (ii) The CVO is to ensure that no punitive action is taken by any concerned Administrative authority against any person on perceived reasons/suspicion of being "whistle blower."
- (iii) Subsequent to the receipt of Commission's directions to undertake any disciplinary action based on such complaints, the CVO has to follow up and confirm compliance of further action by the DA and keep the Commission informed of delay, if any.
- (iv) Contents of this order may be brought to the notice of Secy./CEO/CMD.

All CVOs may note the above directions for compliance.

Sd/-
(Sujit Banerjee)
Secretary

To

All Chief Vigilance Officers

Aftered
J.P.
Advocate

22th June, 2004

To

- 17 -

The Secretary DARE &
Director General ICAR
Krishi Bhawan
NEW DELHI

SUB: CANCELLATION OF MY TRANSFER ORDER FROM NBSS & LUP, REGIONAL
CENTRE NEW DELHI TO JORHAT-REGARDING On medical ground &
daughter's study in 12th class.

Sir,

My brief service career is submitted as follows:

Joined as Sr.Tech.Asstt. (T-4), at CSWCRTI, Research Centre, Bellary (Karnataka) on 02.11.1981 and served there upto 12.11.1984.

Joined as Farm Manager (Technical Officer) T-6 on direct selection and passed at Central Agriculture Research Institute, Port Blair on 13.11.1984 and served for 7 years and 1 month i.e. upto 25.12.1991 at Port Blair Andaman and Nicobar Island in difficult area and special concessions are given for posting in N.E.Region and Andaman Islands.

Joined on Request transfer to IVRI, Izzat Nagar on 26/12/1991 as Sr.Farm Manager (T-7) and served there upto 13/6/1995.

Joined on deputation in Ministry of Agriculture, Krishi Bhawan, New Delhi on the post of Assistant Commissioner Fodder Development on 14.6.1995 and served there upto 28.12.1999.

Joined NBSS & LUP, Nagpur on being selected for the post of Sr.Scientist on 29.12.1999 and served there upto 8.3.2000 till i was transferred in Public interest to Regional Centre, Kolkata.

contd...;

Abdul Jilal Dewantla

Joined at NBSS & LUP, Regional Centre, Kolkata on 8.3.2000 and served there upto 25.07.2000.

Joined at NBSS & LUP, Regional Centre New Delhi on the request transfer on same post of Sr. Scientist on 26.7.2000.

Sir, I have been transferred by the Director, NBSS & LUP, Nagpur vide office order No.3-129/04-Admn/4559/6 dated 14.6.2004 and Head of the Regional Centre, NBSS & LUP, New Delhi has relieved me with immediate effect on 17.6.2004 on the same post in NBSS & LUP, Regional Centre, Jorhat.

My wife Usha Kiran is suffering from Fibroid (photocopy enclosed), Doctors advised for operation. Myself is suffering from angina pain, so regular, monetary of BP & ECG is advised by Doctors an Alpron 250mg is also advised to take every day. My daughter is studying in 12th class this year.

Sir keeping in view of the above facts of our illness, my daughter's studies and I have already served in difficult areas i.e. Andaman and Nicobar Island at CARI Port Blair in terms of Government provision for 7 years & one month. I request that my transfer order may be cancelled and I may be retained in NBSS & LUP, Regional Centre Delhi.

Yours faithfully,

(DR) DHARAM SINGH

Sr. Scientist

NBSS & LUP Regional Centre

NEW DELHI

Attest
H. & D. S.

O/C