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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

✓
O.A/T.A No. 290/2007

R.A/C.P No.

E.P/M.A No.

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SECTION OFFICER (Judl.)

Malta
10/10/17

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

1. Original Application NO. 290/07
 2. MiBs Petition No. _____
 3. Contempt Petition No. _____
 4. Review Application No. _____

Applicant(S). Smt. N. Ibemubi Devi VS Union of India & Crs

Advocate for the Applicants. B. C. Pathak, H. K. Gogoi

Advocate for the Respondant(S) : ... Sr. C. S. C. G. Borthia ...

Notes of the Registry	Date	Order of the Tribunal
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This application is in form is filed/C. F. for Rs. 50/- deposited vide IPO/DO No. 66F837625, 21, 64 E396360 Dated 12.11.07

Heard Mr. B.C. Pathak, learned counsel appearing for the Applicant and Mrs. Manjula Das, learned Addl. Standing Counsel appearing for the Union of India.

Issue Notice to the Respondents requiring them to file reply within six weeks.

Call this matter on 10.01.2008.

Registrar
Di
 Petitioner's Cr's for issue notices are received with encls. Copies saved.

[Signature]
 (Khushiram)
 Member(A)

[Signature]
 (M.R. Mohanty)
 Vice-Chairman

Lm

Di. 26.11.07.

10.01.2008

No written statement has been filed in this as yet.

Pl. issue notices to the Respondents.

Call this matter on 08.02.2008

awaiting written statement from the Respondents.

Di
 Notice & order sent to D/Section for issuing to resp. nos. 1 to 4 by regd. A/D post.

[Signature]
 (Khushiram)
 Member(A)

[Signature]
 (M.R. Mohanty)
 Vice-Chairman

Lm

Di 28/11/07. D/NO-163860
 Dt = 29/11/07.

O.A. 290/07

9.1.08

(Khushiram)
Member(A)

M.R. Mohanty)
Vice-Chairman

Service report awaited

O.A. 290 of 07

- ① Service report awaited
- ② W/S not filed 08.02.2008

7.2.08

No written statement has been filed in this case as yet by the Respondents.

Call this matter on 12.3.2008 awaiting written statement from the Respondents.

W/S not filed

(Khushiram)
Member(A)

(M.R. Mohanty)
Vice-Chairman

Page Break

12.03.2008

No written statement has been filed as yet in this case by the Respondents.

Call this matter on 21st April, 2008.

W/S not filed

17.4.08

(M.R. Mohanty)
Vice-Chairman

21.04.2008

None app.

3

Applicant is present. No written adjournments have been filed by the Respondents. Even to-day the learned Counsel/Addl. Standing Counsel adjournments for four weeks to file written statement while permitting the Respondents to file their counter/written statement by 16.05.2008; liberty is hereby granted to the Respondents to examine the grievances of the Applicant and pendency of this O.A. shall not stand on the way of the Respondents to revoke the suspension order and to give reinstatement.

Call this matter on 16.05.2008.

Send copies of this order to the Applicant/Respondents in the address given in the O.A.



 (M.K. Mohanty)
 Vice-Chairman

order dt. 21/4/08

Send to D/Section for issuing to applicant and respondents by post.

Class 24/4/08. D/No-1836 to 1841
 Dt-24/4/08.

W/S not filed.


 15.5.08

Lim


Page Break


16.05.2008

None appears for the Applicant nor the Applicant is present. Mr. B.C. Pathak, learned counsel appearing for the Applicant has filed a sick note and has indicated therein that his matters may be adjourned from 15.05.2008 to 22.05.2008.

It appears from the instructions given by the Respondents (to Mrs. M. Das, learned Addl. Standing Counsel for the Respondents) that the Applicant has already been reinstated by an order dated 11.01.2008.

Call this matter on 29th May, 2008


 (Koushikram)
 Member(A)


 (M.K. Mohanty)
 Vice-Chairman

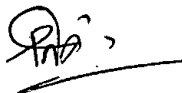
29.05.2008

None for the Applicant. Mr.G.Baishya, learned Sr.Standing Counsel appearing for Respondent seeks two weeks time to file written statement.

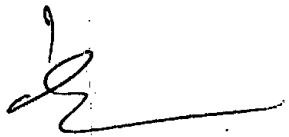
Call this matter on 16.06.2008 awaiting written statement from the Respondents.

10.6.08

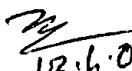
W/s filed by the Respondents. Copy served.



lm



(Khushiram)
Member(A)

N/S filed.

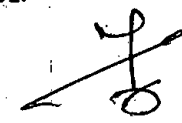

13.6.08.

16.06.2008

For the reasons recorded separately, the O.A. stands disposed of.


(Khushiram)
Member(A)

lm


(M.R.Mohanty)|
Vice-Chairman

Copy received on

behalf of Mr G. Baishya

S. C. & SC CAT

By order of Mr. Adh

20.6.08

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI
O.A. 290 of 2007

Date of order: the 16th June, 2008

Smt.N. Ibemubi Devi

Applicant

By Advocate: Mr. B.C. Pathak

Versus

The Union of India & others

Respondents

By Advocate: Mr. G.Baishya, Senior C.G.S.C

CORAM: The Hon'ble Shri Manoranjan Mohanty, Vice-Chairman
The Hon'ble Shri Khushiram, Member [A]

1. Whether reporters of local newspapers may be allowed to see the judgment or not? ~~Yes/No.~~ ✓
2. Whether to be referred to the Reporters or not ?
3. Whether to be forwarded for including in the Digest being compiled at Jodhpur Bench and other Benches ? ~~Yes/No~~ ✓
4. Whether their Lordships wish to see the fair copy of the judgment ? ~~Yes/No~~ ✓

Vice-Chairman

X

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI
O.A. No. 290 of 2007

Guwahati, this the 16th day of June, 2008

Hon'ble Shri Manoranjan Mohanty, Vice-Chairman
Hon'ble Shri Khushiram, Member [Administrative]

Smt. N. Ibemubi Devi,
W/o [Late] Shri R.K. Sanahal Singh,
Resident of Sagolband Ingudum Leirak,
PO & PS: Imphal West, Imphal-795 001.
Employed as:
Sub Post Mater [under suspension],
Lamlong Bazar Sub Post Office,
Manipur State

... Applicant

By Advocate Mr. B.C. Pathak

Versus

1. Union of India, represented by the Secretary,
Ministry of Communications,
New Delhi-110 001
2. The Postmaster General,
North East Region,
Shillong-793 001
3. The Director of Postal Services,
Manipur, Imphal-795 001
4. Shri A. Kesava Rao,
Deputy Supdt of Post Offices,
O/o the Director of Postal Services,
Manipur, Imphal-795 001.

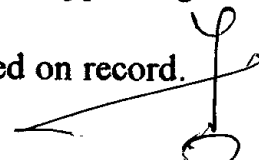
... Respondents

By Advocate Mr. G. Baishya, Senior C.G.S.C.

ORDER
[O R A L]

Manoranjan Mohanty, Vice-Chairman:

Heard Mr. B.C. Pathak, learned Counsel appearing for the Applicant
and Mr. G. Baishya, learned Senior Standing Counsel appearing for the
Respondent Department and perused the materials placed on record.

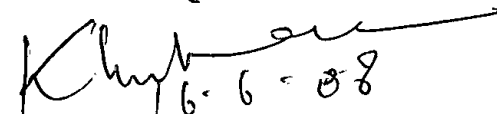


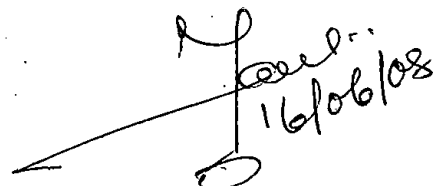
2. The Applicant was placed under suspension. Raising grievance of non-review of the said order [of suspension] within the stipulated period, the Applicant approached this Tribunal with the present Original Application filed under Section 19 of the Administrative Tribunals Act, 1985.

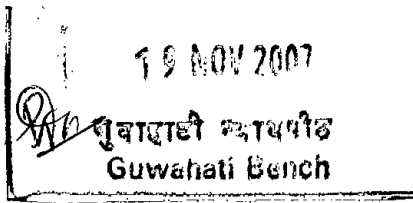
3. On receipt of notice in this case, the Respondents have filed a written statement.

4. It has been pointed out by the Counsel appearing for both parties that by an order dated 11.01.2008, the suspension order has been revoked/the Applicant has been reinstated. In the said premises, since the Applicant has already been reinstated on revocation of the Suspension Order, there remains nothing to keep this matter/case pending; which is accordingly disposed of.

5. While parting with this case, liberty is hereby granted to the Applicant to represent to the Respondents for redressal of any of remaining grievances; which shall certainly receive consideration of the Respondents and relief, as due and admissible under the Rules, may be granted as expeditiously, as possible.


[Khushiram]
Member[A]


[Manoranjan Mohanty]
Vice-Chairman



**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: AT GUWAHATI**

O.A. No. 290 /2007

Smt. N. Ibemubi DeviApplicant

-versus-

Union of India & othersRespondents

Synopsis of the Case

Date	Particulars
	The applicant is a Higher Selection Grade-II (BCR) Postal Assistant [in short HSG-II (BCR) P.A] at Lamlong Bazar Sub Post Office under the Manipur Postal Division with 35 years of unblemished service career.
June, 2006 and July, 2006	Three investors applied in prescribed form for transfer of their 'Kishan Vikas Patras(KVP) from Gariba Tola Post Office, Bihar to the Lamlong Bazar Post Office, Manipur.
	The applicant processed the matter and after verifying the genuineness of the certificates she finally allowed to transfer of the KVPs and encashment of the said KVPs in accordance with the Rule 37 of the "Post Office Savings Bank Manual Volume-II". It was not in the knowledge of the applicant that the KVPs, which were transferred to Lamlong Bazar Sub Post Office were fraudulently issued by the 'office of purchase', i.e., the Gariba Tola Post Office, Bihar.
22.9.2006	The respondents alleged that the applicant transferred

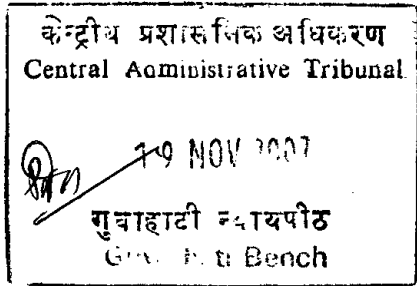
19 NOV 2007

गुवाहाटी न्यायपीठ
Guwahati Bench

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	<p>the KVPs in violation of the circular dated 20.1.05 & 4.4.05 issued by the Divisional Office, Impahl. In view of the aforesaid findings the respondents issued order dated 22.9.2006 thereby placed the applicant under suspension with immediate effect. The respondent No.4 failed to circulate the letter dated 20.1.05 and 4.4.05 properly and in time hence the applicant was not aware about the new Rules of transfer of the saving certificates.</p>
17.1.2007	<p>Applicant submitted representation to the respondents stating that she is not at all a defaulter in this matter and prayed for revocation of the impugned suspension order but the respondents did not pay any heed to the matter.</p>
12.2.2007, 13.8.2007 and 13.9.2007	<p>The respondents did not comply with the Rule 10(6), 10(7) of CCS(CC&A) Rules, 1965. The applicant again submitted representation dated 12.2.2007, 13.8.2007 and 13.9.2007 thereby praying for immediate revocation of the order dated 22.9.2006 and for re-instatement in service as per provisions of the Rule 10(6) and 10(7) as amended. These provisions of amended Rules are mandatory. Therefore a suspension order not reviewed as per new Rules becomes inoperative, hence the impugned order of suspension dated 22.9.2006 is liable to be set aside and quashed and the period of suspension from 22.9.2006 onwards is also liable to be treated as deemed to be in service with all consequential benefits. Accordingly the applicant be re-instated and she should be allowed to join her service. But no action has been initiated by the respondents in this regard so far. Being aggrieved by the inaction on the part of the respondents the applicant prefers this Application before this Hon'ble Tribunal for the grant of above relief and as indicated in para 8 of the Application.</p>

Filed by:
H.K. Gogoi
Advocate
12.11.07



Filed by
H.K. Gogoi
Advocate
12.11.07

APPENDIX - A

[FORM - I]

[See Rule 4]

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH

ORIGINAL APPLICATION No. 290 of 2007.

APPLICATION UNDER SECTION-19 OF THE A.T ACT 1985

Smt. N. Ibemubi Devi

..... Applicant.

- Versus -

Union of India & Others.

..... Respondents.

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Sl No	Description of documents relied upon	ANNEXURE	Page number
	SYNOPSIS		
1	Application		01-15
2	Copy of suspension Memo No. F-4/Lamlong Bazar S.O/2006 Dated 22 nd Sept 2006	ANNEXURE-A/1	16
3	Extract of Rule-37 of Post Office Savings Bank Manual Volume-II	ANNEXURE-A/2	17-19
4	Copy of applicant's representation dated 17-01-2007	ANNEXURE-A/3	20-21
5	Copy of applicant's representation dated 12-02-2007	ANNEXURE-A/4	22-23
6	Copy of applicant's representation dated 13-08-2007	ANNEXURE-A/5	24-25
7	Copy of applicant's representation dated 13-09-2007 With charge sheet Dtd 23/08/07	ANNEXURE-A/6	26-33

Date : 4.11.07

Smt. N. Ibemubi Devi
Signature of the applicant

Place: Guwahati

For use in Tribunal's office

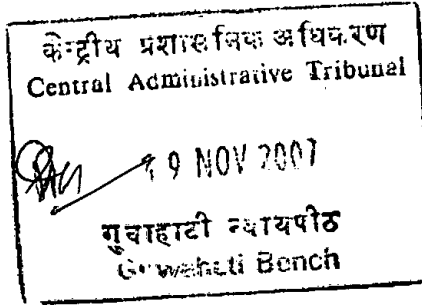
Date of filing :

Or

Date of Receipt by post :

Registration No. :

Signature
For Registrar



1

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORIGINAL APPLICATION No: 290 of 2007.

Smt N. Ibemubi Devi, Aged 57-years
W/o (Late) Shri R.K.Sanahal Singh,
Resident of: Sagolband Ingudum Leirak,
PO & PS : Imphal West, Imphal - 795 001.

Employed as:

Sub Post Master, [Under suspension]
Lamlong Bazar Sub Post Office,
Manipur State.

..... Applicant.

- Versus -

1. Union of India, represented by the Secretary,
Ministry of Communications, New Delhi - 110001.
2. The Post Master General,
North East Region,
Shillong - 793 001.
3. The Director of Postal Services,
Manipur, Imphal - 795 001.
4. Shri. A. Kesava Rao,
Deputy Supdt of Post Offices,
O/o the Director Postal Services,
Manipur, Imphal - 795 001.

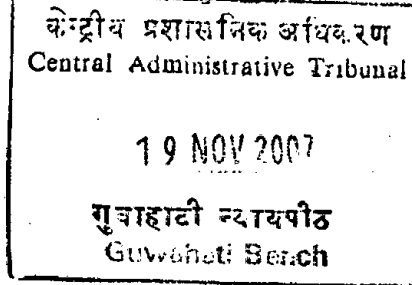
..... Respondents.

IN THE MATTER OF:

Unjustified and arbitrary 'suspension' of the
applicant by the Respondent No.3 viz The Director
of Postal Services, Manipur, Imphal;

- AND -

N. Ibemubi Devi



2

IN THE MATTER OF:

Irregular, illegal & arbitrary continuation of the suspension of the applicant, in violation of Rule-10(7) of Central Civil Services (Classification, Control & Appeal) Rules 1965 and Deptt. of Personnel & Training OM No. 11012/4/2003-Estt.(A) dated 7.01.2004.

1. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

The present application is made against the order of suspension issued by the Respondent No.3 namely The Director Postal Services, Manipur, Imphal vide Memo No.F-4/Lamlong Bazar S.O/2006 Dated: 22nd Sept 2006.

- **A copy of the Suspension Memo No: F-4/Lamlong Bazar S.O/2006 dated 22nd Sept 2006 is attached as ANNEXURE-A/1.**

2. JURISDICTION OF THE TRIBUNAL:

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

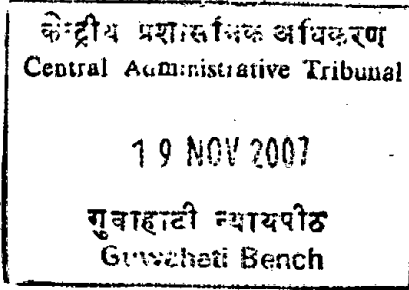
3. LIMITATION:

The applicant further declares that the application is within the limitation period prescribed in Section-21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE:

- 4.1. That, the applicant is a Higher Selection Grade-II (BCR) Postal Assistant [in short called as 'HSG-II (BCR) P.A'] in the Department of Posts in Manipur Postal Division; and the applicant was working as Sub Post Master in Lamlong Bazar Sub Post Office until she was arbitrarily placed under suspension by the Respondent No.3 viz. The Director Postal Services, Manipur, Imphal vide Memo No. F-4/Lamlong Bazar S.O/2006 dated 22nd Sept 2006.

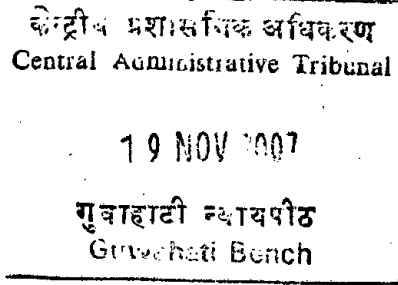
M. S. Sengupta, Secy



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- 4.2. That, the applicant, during her entire service career, spreading over 35-Years, has never come to the adverse notice of any authority/superior officer; and the applicant was discharging her duties with utmost devotion with strict compliance to the departmental rules and govt instructions.
- 4.3. That, while the applicant was working as Sub Post Master in Lamlong Bazar Sub Post Office in Manipur State in the year 2006, 3(Three) investors who have purchased 'Kishan Vikas Patras [in short called as 'KVPs']' from 'Gariba Tola Post Office' in 'Bihar State' came to Lamlong Bazar Sub Post Office in June-2006 & July-2006 and submitted the applications for the transfer of the 'Kishan Vikas Patras' from 'Gariba Tola Post Office' to 'Lamlong Bazar Post Office'. On receipt of their applications for transfer of Kishan Vikas Patras in the prescribed form [i.e. N.C-32], the applicant processed the case in accordance with 'Rule-37 of Post Office Savings Bank Manual Volume-II' and ultimately allowed the encashment of the 'Kishan Vikas Patras' at Lamlong Bazar Sub Post Office after due verification by the 'office of purchase'. But, to the ill-fate and ill-luck of the applicant, it has now been alleged by the authorities concerned that the 'Kishan Vikas Patra-certificates', which were transferred from 'Gariba-Tola Post Office in Bihar State' to 'Lamlong Bazar Sub Post Office' were found to be fraudulently issued by the 'office of purchase'. In fact, the applicant did not at all know that the Kishan Vikas Patra-certificates which were transferred from 'Gariba Tola Post Office in Bihar State' to 'Lamlong Bazar Post Office in Manipur State' were the fraudulently issued certificates. Therefore, the

N. Kameki, Duni



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applicant simply followed the procedure laid down in Rule-37 of Post Office Savings Bank Manual Volume-II and allowed their encashment after maturity under the identification of the persons who are well known to the applicant.

- 4.4. That as per the above Respondents, the 'Kishan Vikas Patra-certificates' were allowed to be transferred from 'Gariba Tola Post Office in Bihar State' to 'Lamlong Bazar Post Office in Manipur State' in violation of the revised procedure circulated vide Divisional Office, Imphal letter No.SB/KVP/Rlg/Corr dated 20.1.05 & 4.4.05. But, in fact, neither any circular vide Divisional Office, Imphal letter No.SB/KVP/Rlg/Corr dated 20.1.05 & 4.4.05 and containing the revised procedure for transfer of savings certificates [i.e. NSCs, KVPs etc] from one post office to another post office was received at Lamlong Bazar Post Office, nor any other instruction related to the revised procedure for transfer of savings certificates from one post office to another post office was ever received during the incumbency of the applicant as Sub Post Master in Lamlong Bazar S.O. Therefore, the applicant had no opportunity to know about the revised procedure introduced by the Department regarding the transfer of savings certificates from one post office to another post office through Divisional Office. In fact, the Respondent No.4, who was the in-charge of Manipur Postal Division during the absence of a regular Director Postal Services in Manipur Postal Division failed to circulate the revised procedure for the transfer of savings certificates from one post office to another post office; and also the Respondent No.4 utterly failed to check whether the revised procedure for transfer of savings certificates

N. Kamubi Devi

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

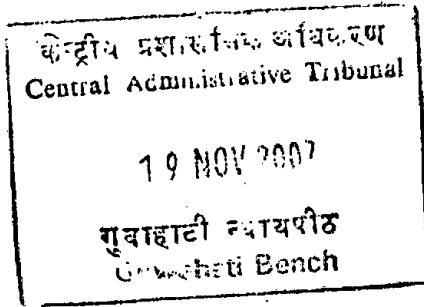
19 NOV 2007

गुवाहाटी न्यायपीठ
Guwahati Bench

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from one post office to another post office was being followed in Imphal Head Post Office at the time of his annual inspection of Imphal Head Post Office in December-2005 and also at the time of his half-yearly inspection of Imphal Head Post Office in June-2006. Had the Respondent No.4 checked at Imphal Head Post Office in December-2005 as to whether the revised procedure for the transfer of savings certificates was being followed at Imphal Head Post Office, then the fact would have come to his notice that the Divisional Office, Imphal letter No.SB/KVP/Rlg/Corr dated 20.1.05 & 4.4.05 were not at all circulated to Imphal Head Post Office and other Sub Post Offices in Manipur Postal Division, and the entire fraud related to the transfer of fraudulently issued Kishan Vikas Patras to the Post Offices in Manipur State and their encashment at the post offices in Manipur State could have been averted. But, the utter failure in the part of the Respondent No.4 to check the relevant records at Imphal Head Post Office at the time of annual inspection of Imphal Head Post Office in December 2005 ultimately resulted in the huge fraud of 'transfer and subsequent encashment of fraudulently issued Kishan Vikas Patra-certificates' in some Post Offices in Manipur Postal Division including Lamlong Bazar Post Office. The Respondent No.4, therefore, to cover-up his own faults and mistakes started to fix responsibility on the innocent staff, who simply followed the procedure laid down in Rule-37 of Post Office Savings Bank Manual Volume-II for the transfer of kishan vikas patras due to the fact that the revised procedure was not circulated to them. The present applicant has also been made a scape-goat in a similar manner by the Respondent No.4; and for this

N. Ibemeebi. Dwi



1A

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reason, the Respondent No.4 has been made a 'by name party/respondent' in the present O.A.

- **Extract of Rule-37 of Post Office Savings Bank Manual Volume-II has been attached as ANNEXURE-A/2.**

4.5. That, after the applicant was placed under suspension, the applicant tried to convince the authorities concerned to show that she is neither directly nor indirectly involved in any fraud through her representation dated 17-01-2007 addressed to the Respondent No.4 and her representation dated 12-02-2007 addressed to the Respondent No.3. But, the authorities concerned did not consider the applicant's representation in proper perspective. Even the Respondent No.2, to whom a copy of the representation dated 12-02-2007 was endorsed, did not look into the genuine prayer of the present applicant till date.

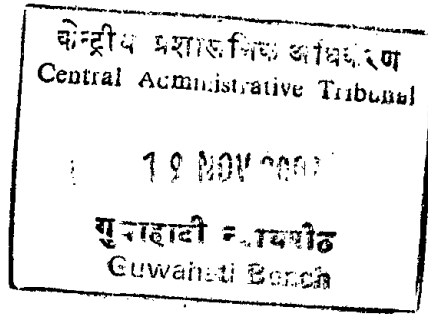
- **Copy of applicant's representation dated 17-01-2007 is attached as ANNEXURE-A/3.**

- AND -

- **Copy of applicant's representation dated 12-02-2007 is attached as ANNEXURE-A/4.**

4.6. That, in accordance with Rule-10(7) of CCS(CC&A) Rules, 1965 the order of suspension issued under Rule-10(1) & Rule-10(2) of the said rule would automatically become invalid after the expiry of ninety days, unless the suspension of the Govt servant is extended for a further period of ninety days before the expiry of initial ninety days on the recommendation of a duly constituted review committee in accordance with Deptt. of Personnel & Training OM No. 11012/4/2003-Estt.(A)

N. Hemesh, Amr



dated 7.01.2004. But, in the case of the present applicant, in spite of the fact that the suspension is continued for more than 1(One) year, no review committee meeting was ever held; and also no order for her re-instatement has been issued so far after the expiry of initial ninety days under Rule-10(7) of CCS(CCA)Rules, 1965. This is the proof that the Respondents are making a scape-goat out of the humble applicant to cover up the omissions and commissions in the part of the above Respondent No.4.

N. J. Bhasin: Dmt

4.7. That, the applicant submitted a representation dated 13-08-2007 to the Respondent No.3 for the immediate revocation of her suspension under the provisions of Rule-10(7) of CCS(CCA)Rules, 1965; and also that the applicant further prayed for the immediate revocation of her suspension in her representation dated 13-09-2007. But, no action for her re-instatement has been initiated by any of the above Respondents till-date.

- **Copy of applicant's representation dated 13-08-2007 is attached as ANNEXURE-A/5.**

- AND -

- **Copy of applicant's representation dated 13-09-2007 is attached as ANNEXURE-A/6. With charge sheet Dtd. 23/08/07**

4.8. That the applicant, under the above circumstances has filed the present application before the Hon'ble Tribunal for redressal and justice.

5. GROUNDS FOR RELIEF(S) WITH LEGAL PROVISIONS:

5.1. That, under the provision of Rule-10(7) of CCS(CCA)Rules, 1965 [here-in-after called 'Rules'], an

19 NOV 2007

गुवाहाटी न्यायपीठ
Guwahati Bench

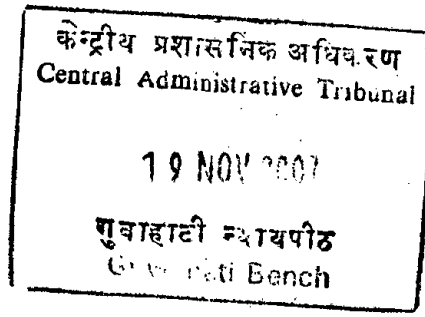
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order of suspension made or deemed to have been made under sub-rules (1) or (2) of Rule-10 of CCS(CC&A) Rules, shall not be valid after a period of ninety days unless it is extended after review, for a further period before the expiry of ninety days. In this instant case, no review was undertaken by a competent review committee constituted under the provisions of Deptt. of Personnel & Training OM No. 11012/4/2003-Estt.(A) dated 7.01.2004. Therefore, the continuation of suspension of the applicant is illegal.

5.2. That, the disciplinary authority viz. the Director Postal Services, Manipur, Imphal [Respondent No.3] has issued the suspension order to the applicant without applying his mind as because the relevant facts such as non-circulation of revised rulings by Divisional Office and the serious omissions and commissions in the part of the Respondent No.4 as regards his non-checking of relevant documents at Imphal Head Post Office during the annual inspection of Imphal Head Post Office in December 2005 were not at all considered by the disciplinary authority, while issuing the suspension order to the present applicant. Therefore, the order of suspension is arbitrary and ab-initio void.

5.3. That, under the provisions of Deptt. of Personnel & Training OM No. 11012/4/2003-Estt.(A) dated 7.01.2004 read-with Rule-10(7) of CCS(CC&A) Rules 1965, the suspension of a Govt servant can be extended after the expiry of initial ninety days only if a review committee consisting of the disciplinary authority, appellate authority and an officer not below

N. Hemubi, Dui



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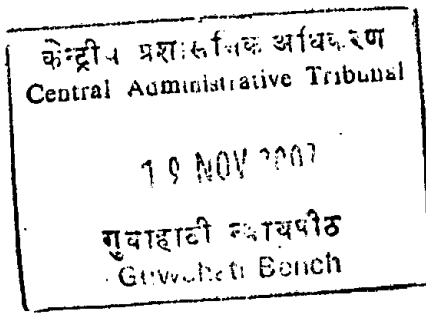
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the rank of disciplinary authority reviews the suspension and recommends for the extension of the suspension for another ninety days before the expiry of the initial ninety days. In this instant case, neither any review committee meeting was held, nor was any reference even made for holding a review committee meeting. The continuation of suspension of the applicant is therefore totally against the statutory provision of Rule-10(7) of CCS (CC&A) Rules 1965.

5.4. That, the order of suspension dated 22nd Sept 2006 automatically became invalid under the provision of Rule-10(7) of CCS(CC&A) Rules 1965 due to the fact that the same was not extended beyond ninety days on the recommendation of a competent review committee. Hence, the applicant is deemed to have been re-instated into service with effect from 22nd December 2006, without any order and the applicant is entitled to all consequential benefits with effect from 22nd December 2006.

5.5. That, the main cause for the fraudulent encashment of fraudulently issued Kishan Vikas Patra certificates in the Post Offices of Manipur, including Lamlong Bazar Post Office, is omission in the part of Divisional Office, Imphal to circulate of the relevant revised rulings and other orders to the Post Offices in Manipur; and also the omission in the part of the above Respondent No.4 to check the records related to the transfer of savings certificates from one post office to other post office at Imphal Head Post Office at the time of his annual inspection of Imphal Head Post Office in December 2005. There was no omission or commission in the part of the present applicant in the

M. Ibemubi. Dui



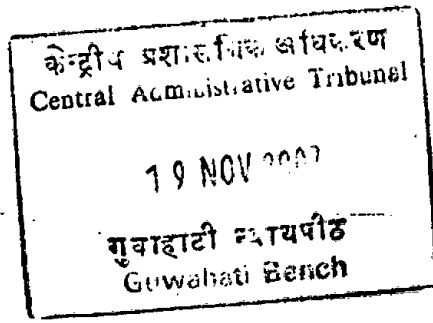
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entire fraud case; and as such there is no prima-facie case to place the applicant under suspension for any reason.

5.6. That, Shri A. Kesava Rao, Deputy Supdt of Post Offices, O/o the Director Postal Services, Manipur, Imphal has intentionally failed to initiate any action to revoke the suspension of the applicant after the expiry of ninety days on 22nd December 2006; and also that the said Shri A. Kesava Rao, intentionally misguided Respondent No.3 to continue the suspension of the applicant beyond ninety days in violation of Rule-10(7) of CCS(CC&A) Rules, 1965. Therefore, appropriate action is required to be recommended against Shri A. Kesava Rao, Deputy Supdt of Post Offices, O/o the Director Postal Services, Manipur, Imphal for his intentional commissions and omissions in the case.

5.7. That, in accordance with Cabinet Sectt. (Department of Personnel) OM No. 39/33/72-Estt. (A) dated the 16th December, 1972 read-with Cabinet Sectt. (Department of Personnel) Memo. No. 39/39/70-Ests.(A) dated the 4th February, 1971, charge-sheet should be served upon the Government servant within three months of the date of suspension, and in cases in which it may not be possible to do so, the disciplinary authority should report the matter to the next higher authority explaining the reasons for the delay. But, in this instant case, the charge sheet was issued only on 23rd Aug 2007; and in spite of the fact that the applicant had already submitted her representation against the said charge sheet memorandum vide her representation dated 13-09-2007, no decision has been taken by the disciplinary

N. Ibemubi, Duri



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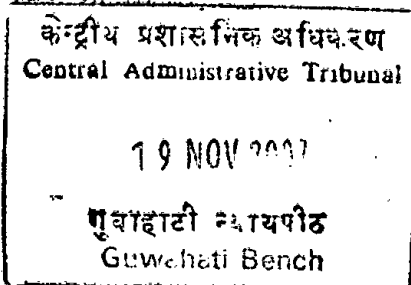
authority for more than 1(One) month either to proceed with the departmental enquiry or to drop the charges. In other words, it may be stated that no order for the appointment of I.O & P.O in the proposed departmental enquiry against the present applicant has been issued by the disciplinary authority even after the lapse of 45(Forty five) days from the date of submission of representation dated 13-09-2007 by the applicant. This clearly shows that the disciplinary authority is employing dilatory tactics only to harass the humble applicant. The continued suspension of the applicant is therefore illegal, motivated and totally unjustified.

N. Benerjee, J.

5.8. That, the Respondent No.2 viz The Post Master General, N.E-Circle, Shillong, in spite of the fact that she is one of the members of the review committee, has not conducted any review committee meeting to review the justification of 'applicant's suspension' in violation of the Deptt. of Personnel & Training OM No. 11012/4/2003-Estt.(A) dated 7.01.2004; and allowed the Respondent No.3 to continue the suspension of the applicant in violation of Rule-10(7) of CCS (CC&A) Rules, 1965. Therefore, the suspension of the applicant is required to be revoked immediately with all consequential benefits to promote the cause of justice.

6. DETAILS OF THE REMEDIES EXHAUSTED:

The representation dated 13/08/2007 [ANNEXURE-A/5] submitted by the applicant is lying as unattended with the Respondent No.3 for more than 2(Two) months without any response. Since the statutory appellate authority, viz the Post



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Master General, N.E-Circle, Shillong [i.e. Respondent No.2], has failed to review the suspension of the applicant in accordance with Deptt. of Personnel & Training OM No. 11012/4/2003-Estt.(A) dated 7.01.2004, the applicant has no statutory remedy to exhaust in this case.

- Copy of applicant's representation dated 13-08-2007 has already been attached as ANNEXURE-A/5.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT:

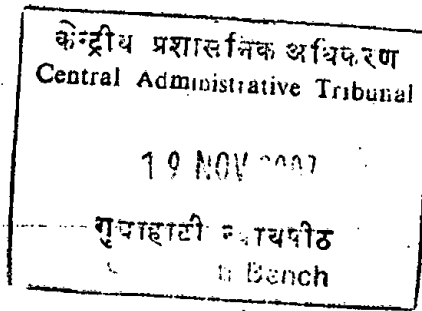
The applicant further declares that she had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

8. RELIEF(S) SOUGHT:

In view of the facts mentioned in Para-6 above, the applicant prays that the Hon'ble Tribunal be pleased to:

- Issue suitable order declaring that the suspension order dated 22nd Sept 2006 as 'arbitrary' and 'illegal';**
- Issue suitable order directing the Respondents to allow the applicant to join duty immediately by revoking the suspension with immediate effect;**

N. Ibemubi Devi



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- (iii) Issue such suitable order directing the Respondents to treat the entire period of suspension as duty with all consequential benefits;
- (iv) Issue such suitable order directing the Respondents No.1 to 3 to fix responsibility on the Respondent No.4 for his omissions and commissions which resulted in the occurrence of fraud, instead of harassing the innocent sub-ordinate staff such as the present humble applicant;
- (v) Award the cost of this application to the applicant; and
- (vi) Pass any other order(s)/direction(s) as the Hon'ble Tribunal may deem fit and proper, under the circumstances of the case, to render justice to the applicant.

9. INTEIM ORDER, IF ANY PRAYED FOR:

The applicant declares that the applicant has no interim prayer at this stage.

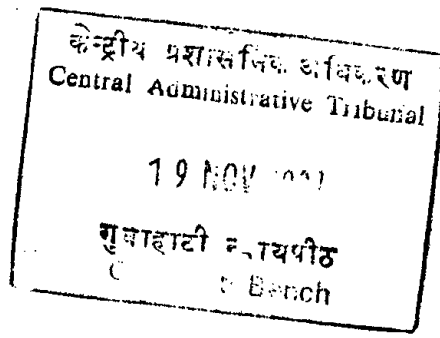
10. IN THE EVENT OF APPLICATION BEING SENT BY REGISTERED POST:

The applicant declares that the application is filed through her advocate.

11. PARTICULARS OF BANK DRAFT / POSTAL ORDER FILED IN RESPECT OF THE APPLICATION FEE:

Indian Postal Order Number : 66F 837625, 66F 837621, 64E 396360
Office of Issue : Guwahati
Date of Issue : 12.11.07
Office of Payment : Guwahati

N. Jhoneshi. Adv

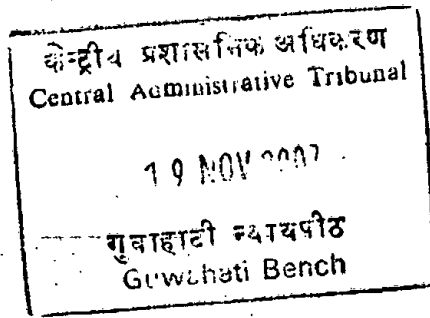


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12. LIST OF ENCLOSURES:

1. Application accompanied by Index in Appendix-A
2. ANNEXURE-A/1 to ANNEXURE-A/5
3. Indian Postal Order for Rs.50/- for application fee.

M. Hemubi, D/s



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VERIFICATION

I, Smt. N. Ibemubi Devi, Wife of (Late) Shri R.K.Sanahal Singh, aged about 57 years, presently employed as Sub Post Master [Under Suspension], Lamlong Bazar Sub Post Office, Manipur State do hereby verify that the contents of Paragraphs-1 to 7 & 9 to 12 above are true to my personal knowledge and belief while the contents of Paragraph-8 above are the prayers before the Hon'ble Tribunal; and that I have not suppressed any material facts.

Smt. N. Ibemubi Devi

Signature of the applicant.

Date : 4.11.07

Place: Guwahati

Filed by: -

Hemanta Kr. Gogoi

Advocate

To

The Registrar,
Central Administrative Tribunal,
Guwahati Bench,
Rajgarh Road, Guwahati -781 005.

DEPARTMENT OF POSTS:INDIA
OFFICE OF THE DIRECTOR POSTAL SERVICES
MANIPUR:IMPHAL.-795001


Memo No-F-4/ Lamlong Bazar SO/2006 Dated at Imphal the 22nd Sept'2006

ORDER

Whereas a disciplinary proceeding against Smt. N. Ibemubi Devi . SPM Lamlong Bazar is contemplated (Fraudulent payment of KPS at Lamlong Bazar SO).


Now, therefore the Director Postal Services . Manipur Division, Imphal in exercise of the powers conferred by Sub Rule (1) of Rule 10 of the Central Civil Services(Classification , Control and Appeals) Rules 1965, hereby places the said Smt N. Ibemubi Devi under suspension with immediate effect.

It is further ordered that during the period that this order shall remain in force, the Headquarters of Smt N. Ibemubi Devi, SPM, Lamlong Bazar SO should be Imphal and the said Smt. N. Ibemubi Devi shall not leave the Headquarters without obtaining the previous permission of the undersigned.


Director Postal Services
Manipur, Imphal-795001

A copy of this memo is issued to:

1. Smt N. Ibemubi Devi, SPM Lamlong Bazar . Orders regarding subsistence allowance admissible to her during the period of her suspension will be issued separately.
2. The Postmaster(Accounts) Imphal HO . Imphal-795001
3. The staff branch O/O DPS Manipur Imphal
4. Smt. G. Memi Devi PA Lamlong Bazar SO for information. She should work as SPM Lamlong Bazar in addition to her own duties until further order
5. The SDIPO Ukhrul Sub Division, Ukhrul for information and necessary action.
6. The CPMG, N E Circle, Shillong - 793001 for favour of information.
7. Spare


Director Postal Services
Manipur, Imphal-795001

Certified to be true Copy.

H. K. Gagni
Advocate

TRANSFER OF CERTIFICATES FROM ONE POST OFFICE TO ANOTHER

37. (1) When an application for transfer of a certificate in the prescribed Form (NC-32) is received in the office of registration either direct or through the office to which transfer is desired, the Postmaster of the office of registration must satisfy himself that the certificate sought to be transferred actually stands in the applicant's name and that the particulars of the certificate as well as serial Number and the date of the original application for purchase of the certificate have been correctly entered in the application for transfer. If the applicant is illiterate his thumb impression attested by the signature of a witness known to the Post Office must appear on the application. The signature or signatures in case of joint holders on the application for transfer should be compared with that on record. If the signature agrees the intimation of transfer on the reverse of the application for transfer will be signed and stamped with the date stamp and forwarded by registered post to the office to which the certificate is sought to be transferred. If the transfer is to be made to B.O. the application will be forwarded to its Accounts Office. If the signature does not tally it should be got attested as provided for in the case of discharge of a certificate.

NOTE :—In the case of Savings Certificate bearing yearly/half yearly interest, amount of interest and the period for which it has been paid, if any shall be recorded on the application in form NC-32 under the initials of the Postmaster of the transferring post office. In case no interest is paid, this fact should also be clearly stated.

(2) The certificate will be returned to the holder who should be directed to present it at the post office to which it is transferred for necessary endorsement thereon. It should be noted that in no circumstances the certificate is to be retained in the post office where transfer application is presented.

(3) The remark "Transferred to.....(name of office) Post Office on.....(date)" will be written in the column for remarks in the application for purchase against the entry of the certificate.

(4) When an application for transfer of a certificate from one post office to another is presented at the office to which the certificate is sought to be transferred, the Postmaster of the receiving office will scrutinise the application with reference to the original certificate. After satisfying himself that the application has been filled in properly and correctly, he will return the certificate to the holder and forward the transfer application with a covering letter to the office of Registration. In the covering letter it will be specifically stated that the particulars of the certificate as entered on the transfer application have been checked and found correct.

(5) The office to which the certificate has been transferred will number the application for transfer in a separate series maintained for the purpose immediately on receipt. The application for transfer will be treated in the new office in every respect like an application for purchase. An intimation shall be sent to the holder on the address given in the application for transfer (Form NC-32) informing

Certified to be true Copy

H. K. Gogoi
Advocate

him of the transfer and requesting him to present the certificate at the post office for proper endorsement of transfer etc. thereon. When the certificate is presented a remark "Transferred to the Books of.....office and registered under No....." will be recorded on the certificate under the dated signature of the Postmaster and the certificate stamped with the date stamp of the office.

(6) *Transfer of a certificate in respect of which nomination exists* :—When a holder desires to transfer his certificate from one post office to another, he should mention in the application form whether a nomination has already been made. The Postmaster while sending the application to the new office will also send an extract from the register of nomination keeping a note of the fact of transfer on the original application for nomination and the register of nominations. In the receiving Post Office the same procedure will be followed as in Sub-Rule (3) of Rule 35(3) in registering the nomination and noting the revised registration number in the application for transfer and the certificate, when presented by the holder as per Sub-Rule (4). The extract from the register of nominations will take the place of the application for nomination.

(7) In case an application for purchase of certificate in respect of which transfer has been applied for is found to be missing for any reason, a fresh ante-dated application for purchase will be obtained. Before allowing the transfer the Postmaster will ascertain from the Postal Accounts Office whether the particulars of the certificate are correct, whether the certificate is attached by a Court of Law and whether it remains undischarged. The identity of the holder and the genuineness of the application for transfer should also be established by independent enquiry.

If the certificate was issued before 1-7-1962 a personal Indemnity Bond containing a recital to the effect that the bond is being executed at the request and cost of Government along with the declaration that the certificate has not been attached by a Court of Law will also be obtained from the holder.

NOTE :—Transfer of a certificate after it ceases to earn interest from one office to another shall not be allowed.

(8) When after release of the certificate from the pledge, the holder presents an application for transfer of the certificate in the prescribed form (NC-32) at the office of registration either direct or through another office to which the transfer is desired, the Postmaster of the office of registration must satisfy himself that the certificate sought to be transferred actually stands in the applicant's name and the particulars of the certificate as well as the serial number and date of the original application for purchase of the certificate have been correctly entered in the application for transfer. The letter of authority releasing the certificate by the pledge shall also be obtained from the holder to see that the particulars of the certificate have been correctly mentioned therein. The letter of authority should be pasted to the application for purchase. The office of registration will make the following endorsement on the certificate "Retransferred to (Name of the Holder). Other formalities for transfer of certificate from one post office to another as laid down in Rule 37 (1) above should be observed.

When a certificate released from pledge and presented for transfer at an office other than the one where it is registered, the postmaster of the transferee office will scrutinise the particulars written on the application for transfer (NC-32) and those written in the letter of authority releasing the certificate by the pledgee with the original certificate. After satisfying that the application for transfer has been properly and correctly filled in, the Postmaster of the transferee office will return the original certificate and the letter of authority to the holder for presentation after about a week.

The application for transfer will be sent to the office of registration with a covering letter specifying therein that the particulars of the certificate as entered in the application for transfer have been checked and found correct. The particulars of the authority releasing the certificate from pledge will also be intimated. The office of registration will take necessary action as in Sub-Rule (1) above.

On receipt back of the application of transfer from the office of registration, the holder will be requested to present the original certificate and the letter of authority releasing the certificate issued by the pledgee. The transferee office will then make the following endorsement on the certificate "Retransferred to.....(name of the holder)". The letter of authority will be pasted to the application for transfer (NC-32). The endorsement regarding the transfer of the certificate from one post office to another as required in Sub Rule (5) above will be made. The transferee office should remind telegraphically the office of registration if no reply is received within a week.

The transferee office will send an intimation of the transfer to the Postmaster of the office of registration who will make a remark "Transferred to.....(name of the post office) on....." in the column for remarks in the application for purchase against the entry of the certificate. The particulars of the letter of authority releasing the pledge should also be noted in the remark column of the application for purchase.

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To,

Shri Keshava Rao
Deputy Superintendent of Post Offices
Mampur Division, Imphal.

Subject:- Fraudulent discharge of KVPs at Lamlong Bazar S.O. by
Smt. N. Ibemubi Devi, SPM, Lamlong Bazar, SO.

Reference : (1) Your letter No.FS-1/2006-07 dated 9/1/07

Sir,

At the outset, I became stunned as well as shocked to find that I have been asked to credit the amount of Rs. 29,54,800/- on the context of the fact that KVPs numbering 149 and amounting Rs. 29,54,800/- which were discharged at Lamlong Bazar Sub-Post Office during my incumbency were neither issued at Garibatola Post Office nor transferred to Lamlong Bazar Sub-Post Office. The above action is not only unjustified but also of suppressive as well as oppressive character. Perhaps you will agree that the determination of responsibility on any Govt. official or on any individual must be based on the basis of specific violation of rules and non-observation of departmental rules prevailing.

In the instant case, during preliminary inquiry conducted by Shri L. Tiken Singh SDI of Post Offices as well as a officer from Circle Office, Shillong, I had already pinpointedly focused that I had thoroughly followed Rule 37 of Post Office Saving Bank Manual -- II right from the time of acceptance of applications from the investors till the time of discharge at Lamlong Bazar Sub-Post Office.

I have also elaborately and clearly mentioned in my written statements furnished to the SDI of Post Offices concerned on 22/9/06 as well as to the Manager PLI of Circle Office, Shillong that I honoured the investors' applications for transfer of KVPs from Garibatola Post Office to Lamlong Bazar after proper scrutiny and finding quite in order. It was clearly mentioned that the investors arrived at Lamlong Bazar Sub-Post Office accompanied by Shri Ksh. Bimola Devi Assistant Post Master of Imphal Head Post Office and Th. Anupama Devi MPKVY-SAS agent who introduced the investors as an officer of Loktak Project. I also found that the transfer applications were filled up in the handwriting of Smt. Ksh. Bimola Devi who also identified the investors by endorsing necessary certificates and putting her signature mentioning designation.

In my statements I had already categorically and vividly mentioned that the certificates (KVPs) were quite genuine and were bearing consecutive serial numbers. These certificates were bearing clear date, stamps of the Office of issue and signature of Issuing Post Master of Issuing Office with his designation seal, registration number, etc. Only after proper satisfaction of bonafideness of applications as well as KVPs, the transfer applications were forwarded in usual course to the Issuing Office under Regd. Post and the application forms were received back bearing the endorsement and remarks of the Issuing Office with designation seal under registered post.

This had also been pointed out that on receipt back of applications, the discharge value was paid to the investors only in the presence of Shrimati Ksh. Bimola Devi, Assistant Post Master (Accounts) as well as Smt. Th. Anupama Devi. No suspect of any kind was smeared in the present case till the payment of encashed value and thus nothing more is perhaps required to exhibit my non-involvement and innocence in the entire process of the instant case.

Certified to be true Copy,
H.K. Gagn
Advocate

But despite the above perpetual aspects of the case, intentionally and purposefully in order to put me to great hardship, I had been placed under suspension without assigning any reason. Even after suspension no subsistence allowance was paid to me for months together with a view to making my family life more hardened. Besides the above, for no reason and without any justification I was dragged for Police action by FIR and ultimately to save myself from undue torture and harassment by the Police, I had to seek intervention of the Hon'ble High Court of Gauhati Bench who after proper analyzing of the pros and cons of the case and finding my innocence had granted absolute anticipatory bail. Lastly, Your Honour will agree that the entire episode of fraudulent encashment of certificates had been made due to absolute negligence on the part of the concerned official in your own office who had utterly failed to circulate the instructions of the Postal Directorate to route the applications of Transfer of Certificates through Divisional office. Sir, kindly note the point with eyes of justice that had the above Instructions of the Directorate circulated in time by your office, the alleged fraudulent encashment of certificates would not have taken place at all. If at all the money is to be credited, then the same should be credited by the official of your office who had failed to circulate the Directorate instruction which ultimately lead to the occurrence of alleged fraud.

Sir, kindly also note with eyes of justice that by canceling the irregularities in the part of officials of your office and taking the present proposed action of recovery of the involved amount and cautioning for initiating departmental action, etc. is purely suppressive and oppressive character which is perhaps very bad in law and denial to the natural justice of the constitution of India.

Yours faithfully,

N. Ibemubi Devi
17-1-07

(N. Ibemubi Devi)
SPM, Lamlong Bazar, SO.
Now on suspension at
Sagolband Ingudum Leirak
Imphal - 795001 Manipur

To,

The Director Postal Services,
Manipur Division, Imphal - 795001.

Subject: - Fraudulent discharge of KVPs at Lamlong Bazar S.O.

Reference : - Your letter No. F5 - 1/2006-07 Dt. 07/02/2007

AND

(ii) CPMG Shillong (Circle Office)
Letter No. INV/X/KVP - 1/06-07 Dt. 12/10/06 & 15/11/06

Respected Sir,

At the outset I beg to inform that after disclosure as well as location of fraudulent encashment of KVPs I have been vigorously making efforts to apprehend the actual persons who attended my office at Lamlong Bazar along with the KVPs and submitted applications for their transfer from offices of Bihar. Besides, myself I have also engaged my family members and well wishers of my family to apprehend these persons at any cost. As soon as I shall be able to locate their where about I shall leave no stone unturned to recover the entire amount towards re-equipment of Govt. loss which has taken place in the instant case. I am also fully co-operating with Police Deptt. of Manipur who are investigating the case and as soon as the miscreants are traced I am sure I shall be able to recover the amount involved in the case.

2. Sir, as regard fixation of responsibility for the alleged fraudulent dischargement I have already discussed my position in my previous application. I have not allowed dischargement of any certificate before verification perhaps in one or two cases these certificates were allowed to be discharge before verification report. But immediately after discharge their verification reports were received in usual manner under registered post. Since, there was nothing wrong with the certificates and the applications were identified by a senior official of the Department. Hence, I do not find any reason under which I shall be made responsible for the above alleged fraudulent discharge.

Sir, when the certificates were being discharge I personally visited the Imphal Head Post Office as well as Divisional Office and informed about dischargement of certificates. But non of them highlighted anything about routing of applications through DPS Office. Even after receipt of discharged certificates when these were received along with journals at Imphal Head Post Office, no objection of any kind reflecting suspicion of any kind or any defect about dischargement were informed to me.

Certified to be true Copy.

H. K. Gogoi
Advocate

Contd/- 2

Hence, I request your honour to kindly consider all the facts with eyes of justice so that I may not have to suffer further in the case.

Once more, I beg to reaffirm my sincere efforts to apprehend the culprits and to recover the amount from them as soon as possible.

Yours faithfully,

N. Ibemubi Devi
12/2/07

(N. Ibemubi Devi)
SPM, Lamlong S.O. *Now and*
suspensions at 2016
Jugendum Rata

Copy to :-

Smt. P. Gopinath Hon'ble CPMG,
N.E. Circle, Shillong for her kind information.

Sir,

I am a widow and now at the verge of retirement. None of my children are the earning member and entire responsibility of my family including education of my children are depending on my meager subsistence allowance.

Hence, she is requested with folded hands to kindly show mercy on this poor widow official so that I can manage my family affairs smoothly and provide full stomach meal to my children.

N. Ibemubi Devi

(N. Ibemubi Devi)
SPM, Lamlong S.O.

To

The Director Postal Services,
Manipur, Imphal - 795 001.

Sub: -Humble request for revocation of suspension - in case of
Smti. N. Ibemubi Devi, Sub Post Master (Under Suspension),
Lamlong Bazar S.O.

Ref: - DPS, Imphal Memo No. F-4/Lamlong Bazar S.O/2006
Dated. 22-09-2007.

Most Respected Sir,

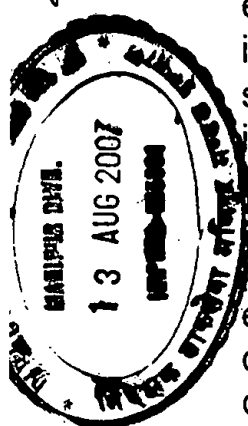
Most respectfully, I submit the following few lines for favour
of your kind consideration and favourable orders: -

1. That Sir, I was placed under suspension vide DPS, Imphal Memo No.F-4/Lamlong Bazar S.O/2006 Dated: 22-09-2006 without intimating any reason and later I came to know that my suspension was ordered in connection with payment of K.V.Ps at Lamlong Bazar S.O. In my written statement to Shri L. Tiken Singh, the then SDIPOs, Ukhrul I had clearly given the facts related to the payment of K.V.Ps at Lamlong Bazar S.O under proper identification by the persons who are well known to the Postal Department. But, although the suspension was ordered in September 2006 and I have been placed under suspension with effect from 23-09-2006, no disciplinary action of any kind has been initiated against me for more than 10-months from the date of suspension. No order for revoking my suspension has also been issued yet. It is reiterated here that I allowed the payment of K.V.Ps at Lamlong Bazar S.O only after following the relevant provisions of rule available in POSB Manual Vol-II and also the payment was made under proper identification. In addition, in my entire service, I never came to the adverse notice of the department for any reason. In fact, I have been discharging my duties most sincerely and devotedly. Therefore, I have been made scape-goat for the irregularities committed by others; and I have no hand in any kind of irregularity. But, I have been placed under continued suspension for more than 10-months.

2. That Sir, as per Rule-10(7) of CCS(CCA)Rules, 1965, an order of suspension made or deemed to have been made under

*Received
similar copy*

*Done
13/8/07
2.10 PM*



Certified to be true Copy.

H.K. Gagan
Advocate

sub-rule (1) or (2) of Rule-10 of CCS(CCA)Rules 1965 shall not be valid after a period of ninety days unless it is extended after review, for a further period before expiry of ninety days. In my case, the prescribed period of 90-days has already exceeded on 22-12-2006, but the order of suspension dated 22-09-2006 has not been revoked till-date.

3. That Sir, I would also submit before you most respectfully that neither my suspension case was reviewed in accordance with relevant govt instructions and rules before the expiry of 90-days and also no order for further extension of my suspension beyond 21-12-2006 was ever issued before the expiry of the prescribed 90-days period. Therefore, continuation of my suspension is totally against the prescribed rule, and also the suspension order has already become invalid on 22-12-2006. Therefore, I most respectfully pray before your goodself that I may kindly be allowed to resume my duties without any further delay, in the interest of justice.

4. That Sir, the order of suspension has caused very severe blow on my social status in addition to serious financial hardship. I am unable to manage my family and education of my children with the meager subsistence allowance. It is also obvious that my suspension is being prolonged without any reasonable cause, in violation of the prescribed rules in CCS(CCA)Rules, 1965.

5. I would therefore request your kind honour to revoke the order of suspension dated 22-09-2006 without any further delay, on humanitarian grounds.

6. I would like to assure before your kind honour that I will be discharging my duties more sincerely and devotedly, and also I will be co-operating with all enquiries related to the K.V.P case.

7. I therefore most fervently request you kindly to look into my case most sympathetically and issue necessary order for the revocation of my suspension dated 22-09-2006 to avoid further hardship to your humble subordinate.

Date : 13/08/2007.
Place : Imphal

Yours faithfully,
N. Ibemubi Devi
(N. Ibemubi Devi)
Sub Post Master(U/S),
Lamlong Bazar S.O.

To

**The Director Postal Services,
Manipur, Imphal - 795 001.**

Sub: - A humble prayer for dropping the disciplinary proceedings initiated against me vide DO, Imphal Memo No.F5-1/2006-07/Disc dated 23rd Aug 2007;

- AND -

A humble prayer to revoke the suspension in the interest of justice.

Respected Sir,

Most respectfully, I beg to submit that I had been discharging my duties in all capacities including the capacity of Sub Post Master, Lamlong Bazar S.O with utmost devotion and sincerity, but I have been penalized for the mistakes committed by others. Now, a disciplinary proceeding has been initiated under Rule-14 of CCS(CCA) Rules, 1965 without assessing the even the preliminary justification as to whether a disciplinary proceedings under such facts and circumstances.

2. It has been alleged in the Article-I that I failed to follow the revised procedure for making verification of 149 (one hundred forty nine) KVPs worth Rs. 29,54,800/- (Rupees Twenty nine lakh fifty four thousand eight hundred) only. But, the charge sheet memorandum does not say as to when and how the circular No.SB/KVP/Rlg/Corr dated 20-01-2005 and 04-04-2005 were circulated to Lamlong Bazar S.O. To the best of my knowledge, it is submitted that the said circular never reached Lamlong Bazar S.O, and even when I personally approached the Complaint Inspector, DPS-Office, Imphal in the month of July-2006 for the procedure regarding verification of certificates issued by other post offices. I was not told about the revised procedure. The Deputy Post Master (SB), Imphal HPO disallowed some payments on the ground that only the Head Post Office can allow the payment of certificates which are received on transfer to any post office in Manipur Postal Division and not at all on the ground that the certificates are to be verified through Divisional Head. Therefore, by quoting a circular which was never circulated by Divisional Office either in January 2005 or in April 2005, a sharp attempt has been made to spoil the career of innocent staff while the main culprits who have failed to circulate the circular and those who falsely showed the circular as forwarded to Imphal HPO has been protected by DPS-Office. A simple examination of hand-to-hand receipt book maintained at DPS-Office will prove that the DPS-Office circular No.SB/KVP/Rlg/Corr dated 20-01-2005 was made as a last entry on 24-01-2005 [Sl. 6/6] and the DPS-Office circular No.SB/KVP/Rlg/Corr dated 04-04-2005 was made as a last entry on 04-04-2005 [Sl. 9/9]; and both entries were made by the same ball-point refill pen. The colour of the ink of these entries differ other entries of the day, which clearly proves that the concerned staff working in DPS-Office is indulging in irregular and fraudulent activities to trap some innocent staff like me to victimize and harass just for saving their own skin. The Supdt of Post Offices, Imphal ought to have seized the relevant hand-to-hand receipt book immediately on detection of the fraud and kept the same in his personal custody. But, instead of doing justice, the irregular last entries

Certified to be a true Copy.

H. K. Gogoi

Advocate

stated above have been done in the register well with the collaboration of the authorities which is very sad. I request for a forensic examination of this register by the 'forensic experts' and I am willing to bear the cost of 'forensic examination' as because I want to expose the irregularities committed by the staff of DPS-Office, which is the main cause for such a serious fraud. Because, I have been subjected to undue harassment and humiliation in this case, when I have not committed any fraud. I also did not collaborate with the offenders, but I simply followed the procedure laid down in the relevant rules of POSB Manual Vol-II.

3. In the Article-II, it has been alleged that I allowed the payment of KVPs without consulting the negative list. In respect of this article of charge also, it is not given in the charge sheet memorandum as to when and how the negative list was circulated. After payment, the original KVPs were forwarded to Imphal HPO along with 'KVP paid list'. If negative lists were circulated by DPS-Office at any point of time, then at least Imphal HPO ought to have verified the paid certificates received from S.Os immediately and objected the payments. I never received any such objection from Imphal HPO, and all the payments were allowed by the HPO. It was objected by the Imphal HPO only at the last that the payment of transferred certificates should be allowed with the order of the Dy PM i.e. Head Post Office. Therefore, leveling such serious allegation without any supporting materials is not only unwarranted but totally wrong in the interest of justice.

4. In the Article-III, it has been alleged that I allowed cash payment of matured KVP cases exceeding Rs.20,000/-. Here also, it has not been stated anything in the charge sheet memorandum as to when and how the DPS-Office letter was circulated; and whether the SPM, Lamlong Bazar S.O was authorized to issue cheques; and whether any cheque book was issued to the SPM, Lamlong Bazar S.O for the purpose. Further, it is also not stated in the charge sheet memorandum as to why the Post Master, Imphal HPO did not disallow the cash payment on the first instance or in any subsequent instances.

5. In the Article-IV, it has been alleged that I did not make verification of genuineness of addresses furnished in the application for transfer. This charge is also a misconceived one as because Smt. Th. Anupama Devi, Authorised SAS & MPKBY-Agent specifically and categorically identified the certificate holders to the SPM, and only on the basis of identification given by the said Authorised SAS & MPKBY Agent who is well known to the Post Office, the transfer of KVPs was allowed at Lamlong Bazar S.O. Had any other address been written in the application form also, there would not have been any difference as far as the transfer of KVPs were concerned. Because, the fraud took place not because the transfer applications were bearing wrong or false addresses, but because the relevant rulings and departmental instructions were not circulated by Divisional Office. Even the Supdt of Post Offices, Imphal who visited Lamlong Bazar S.O in December 2005 for inspection of the office did not give any such instruction either at the time of inspection or in his IR. Even he did not bother to check whether the relevant rulings related to the transfer of KVPs and negative lists etc., which are claimed to have been circulated by the Divisional Office were kept in Guard file. Thus, all the lapses in the part of the staff of Divisional Office and the 'Inspecting Officers' have just been transferred to the heads and shoulders of innocent staff like me.

6. I therefore most fervently pray that the charge sheet issued vide DO, Imphal Memo No.F5-1/2006-07/Disc dated 23rd Aug 2007 may kindly be dropped in the interest of justice and my suspension may kindly be revoked to end injustice to an innocent staff.

7. For the act of kindness, I shall ever be grateful and obliged.

Yours faithfully,

Imphal,
13th Sept 2007.

N. Ibemubi Devi
Nepzama Devi
(N. Ibemubi Devi)
Sub Post Master (U/s),
Lamlong Bazar S.O.

DEPARTMENT OF POSTS, INDIA
OFFICE OF THE DIRECTOR POSTAL SERVICES, MANIPUR IMPHAL - 795001

Memo No. F5-1/2006-07/Disc

Dated, at Imphal the 23rd Aug 2007

Memorandum

The undersigned proposes to hold an inquiry against Smt. N. Ibemubi Devi, the then SPM Lamlong Bazar SO now under suspension under Rule-14 of the Central Civil Services, (Classification, Control and Appeal) Rules, 1965. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are enclosed (Annexure-III & IV).

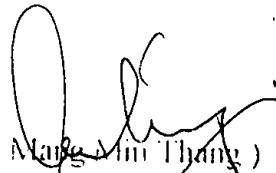
2. Smt. N. Ibemubi Devi, the then SPM Lamlong Bazar SO now under suspension is directed to submit within 10 days of the receipt of this memorandum a written statement of her defence and also to state whether she desires to be heard in person.

3. She is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. She should, therefore, specifically admit or deny each article of charge.

4. Smt. N. Ibemubi Devi, the then SPM Lamlong Bazar SO now under suspension is further informed that if she does not submit her written statement of defence on or before the specified in para-2 above, or does not appear in person before the inquiry authority or otherwise fails or refuses to comply with the provisions of the said rule, the inquiring authority may hold the inquiry against her *ex-parte*.

5. Attention of Smt. N. Ibemubi Devi, the then SPM Lamlong Bazar SO now under suspension is invited to Rule 20 of the Central Civil Services (Conduct) Rules, 1964, under which no Govt. Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Govt. If any representation is received on her behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Smt. N. Ibemubi Devi, the then SPM Lamlong Bazar SO now under suspension is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of Rule 20 of the CCS (conduct) Rules, 1964.

6. The receipt of this memorandum may be acknowledged.


(T. Mang Min Thang)
Director Postal Services
Manipur, Imphal-795001

Copy to:

1. Smt. N. Ibemubi Devi, the then SPM Lamlong Bazar SO now under suspension
2. PF of the official.
3. Office Copy

Regd AD

- 30 -

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ANNEXURE-I

Statement of Articles of charge framed against Smt. N. Ibemubi Devi, the then SPM Lamlong Bazar SO now under suspension.

Article - I

That the said Smt. N. Ibemubi Devi, while working as SPM Lamlong Bazar S.O. during the period from 2-4-2004 to 23-9-2006 has failed to follow the revised procedure for making verification of 149 (one hundred forty nine) KVPs worth Rs. 29,54,800.00 (Rupees twenty lakhs fifty four thousand eight hundred only) certificates transferred from Gariba Tola SO (Chapra HO) to Lamlong Bazar SO through the Divisional Head as circulated vide Divisional office file mark No SB/KVP/Rlg/Corr dtd 20.1.05 & 4.4.05 have not been followed by her and effected payment on her own accord without following the prescribed procedure on account of non following the revised procedure by her the Department has incurred a loss of Rs.29,54,800/-. The circular were circulated to the Postmaster Imphal HO and all the Sub-Postmaster under Manipur Division vide Divisional office, Imphal No SB/KVP/Rlg/Corr dtd 20.1.05 & 4.4.05. Thereby she violated the provisions of Rule 3 (1) (ii) and 3 (1) (iii) of CCS (Conduct) Rules, 1964.

Article - II

That during the aforesaid period and while functioning in the aforesaid office, the said Smt. N. Ibemubi Devi, then SPM Lamlong Bazar SO did not refer the negative list and stolen list of KVPs/NSCs before effecting payment of 149 (one hundred forty nine) KVPs worth Rs. Rs.29,54,800/- at Lamlong Bazar SO on 15.5.06, 17.07.06, 19.07.06, 25.07.0601 and 01.08.06 which was circulated by the Divisional Office, Imphal vide letter No. SB/KVP/Rlg/Corr dtd 20.1.05 & 4.4.05 as required by Rule 23 (1) (c) of Post Office Saving Bank Volume-II and also infringed provisions of Rule 3 (1) (ii) and 3 (1) (iii) of CCS (Conduct) Rules, 1964.

Article - III

The total value of 149(one hundred forty nine) KVPs paid by Smt. N. Ibemubi Devi, then SPM Lamlong Bazar SO worth Rs.29,54,800/-. As per D.G. Post letter No. 5-20/UP-06/2000-INV dated 28/29.8.2001 in respect of matured cases of payment of KVPs exceeding Rs.20, 000/- should be paid by cheque. The SPM violated this ruling and effected cash payment instead of cheque at Lamlong Bazar SO on 15.5.06, 17.07.06, 19.07.06, 25.07.0601 and 01.08.06 also infringed provisions of Rule-3 (1) (ii) and 3 (1) (iii) of CCS (Conduct) Rules,1964.

Article - IV

That during the aforesaid period and while functioning in the aforesaid office, the said Smt. N. Ibemubi Devi, then SPM Lamlong Bazar SO, has not made the verification of genuineness of the address furnished in the (No-32) A.K Chaurasia, S.K. Bhargo and Lalta Prasad. The address furnished on the No-32 application is "Loktak Project Bishenpur" which is incomplete and also not under the jurisdiction of Lamlong Bazar Sub-Office, as required by Rule 23 (1) of Post Office Saving Bank Volume-II and also infringed provisions of Rule-3 (1) (ii) and 3 (1) (iii) of CCS (Conduct) Rules,1964.

Annexure-II

Statement of imputation of misconduct or misbehaviour in support of the articles of charge framed against Smt. N. Ibenubi Devi, the then SPM Lamlong Bazar S.O. now under suspension.

Article - I

Shri L. Tiken Singh, SDIPO Ukhral Sub-Division visited on 04.09.2006 to Lamlong Bazar S.O and found that Smt. N. Ibenubi Devi, the then SPM Lamlong Bazar S.O has discharged fraudulently 149(one hundred forty nine) Nos. of KVP on 15.5.06, 17.07.06, 19.07.06, 25.07.0601 and 01.08.06 without following the revised procedure for making verification of certificates through the Divisional Heads as circulated vide this office file mark No. SB/ KVP/ Rlg/ Corr dtd. 20.1.05 & 4.4.05. The particulars of the KVPs are given below:

<u>Sl.No.</u>	<u>Certificate No</u>	<u>Dt. of discharge</u>	<u>Deno</u>	<u>Amount(Rs.)</u>
1	46CC902801-10	15.6.06	10,000	1,87,400
2	46CC902811-20	15.6.06	10,000	1,87,400
3	46CC902851-80	17.7.06	10,000	6,00,000
4	46CC902881-84	19.7.06	10,000	80,000
5	46CC902886-900	19.7.06	10,000	3,00,000
6	46CC902601-30	25.7.06	10,000	6,00,000
7	46CC902631-50	01.8.06	10,000	4,00,000
8	46CC902841-70	25.8.06	10,000	6,00,000
				Total of Rs: 29,54,800/-

By this act. of Smt. N. Ibenubi Devi, the Department has sustained a huge loss of Rs. 29,54,800/- She failed to maintain absolute integrity and devotion to duty, violating the provisions of Rule-3(1) (ii) & (3) (1) (iii) of CCS (Conduct) Rules, 1964.

Article - II

Smt. N. Ibenubi Devi, SPM Lamlong Bazar SO failed to refer the negative list and stolen list of KVPs/NSCs which was circulated by the Divisional Office vide letter No.F/Loss/NSC.IVP/KVP etc.dtd.21.10.99 before effecting payment of the matured value of 149(one hundred forty nine) KVPs worth Rs. 29,54,800/-. By this act of Smt. N. Ibenubi Devi, the Department has incurred loss of Rs: 29,54,800/-. She violated the Rule 23 (1) (c) of Post Office Saving Bank Volume-II and also infringed provisions of Rule-3(1) (ii) and (3) (1) (iii) of CCS (Conduct) Rules, 1964.

Article - III

The payment of matured amount of KVPs to the investor which were exceeded Rs. 20,000/- were paid to the investor by cash instead of by cheque. On 15.5.06, 17.07.06, 19.07.06, 25.07.0601 and 01.08.06 Smt. N. Ibenubi Devi, the then SPM Lamlong Bazar SO effected payment of Rs. Rs. 29,54,800/- to Shri A.K Chaurasia, S.K. Bhargo and Lalta Prasad, holder of 149 (one hundred forty nine) KVPs as matured value, violating the ruling of D.G. Post letter No. 5-20/UP-06-2000-INV dated 28/29.8.2001 also infringed provisions of Rule-3(1) (ii) & 3(1) (iii) of CCS (Conduct) Rules, 1964.

Article - IV

That the said Smt. N. Ibemubi Devi, while working as SPM Lamlong Bazar SO did not verify genuineness of the address of the holder which is written on the NC-32 that is Shri A.K Chaurasia, S.K. Bhargo and Latta Prasad before effecting payment "Loktak Project Bishenpur". Thus the SPM violated the rulings of Directorate letter No.5-03/ASMI-01/2004 Inv dtd 6.1.2005 received under CO, letter No. SB/1-7/KVP/NSC/Loss/2001dtd 15.01.2005 and as required by Rule 23(1) of Post Office Saving Manual volume-II and also infringed provisions of of Rule-3(1) (ii) & 3 (1) (iii) of CCS (Conduct) Rules, 1964.

Annexure-III

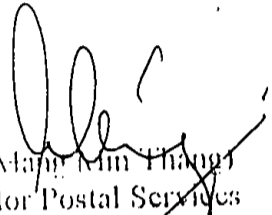
List of documents by which articles of charge framed against Smt. N. Ibemubi Devi, the then SPM Lamlong Bazar SO now under suspension are proposed to be sustained.

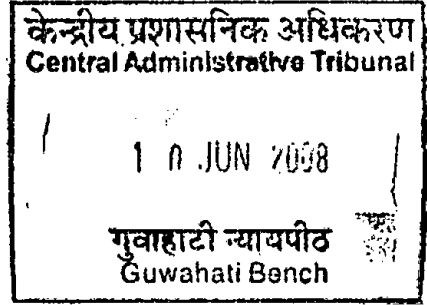
1. Application for transfer of KVP certificates (NC-32) from Gariba Tola SO (under Chapra HO) to Lamlong Bazar SO.
2. 149 (One hundred forty nine) Nos. of discharged KVPs numbers from 46CC902801-10, 46CC902811-20, 46CC902851-80, 46CC902881-84, 46CC902886-900, 46CC902601-30, 46CC902631-50, 46CC902841-70.
3. Discharge List of KVPs dtd 15.6.06, 17.7.06, 19.7.06, 25.7.06, 1.8.06 and 25.8.06 of Lamlong Bazar SO.
4. Report from Shri L. Tiken Singh, SDIPOs Ukhrul Sub-Division letter No.A-1/Saving Cert/SB/RD/Corr dtd 04.9.06
5. Report of SSP Saran Dn. Chapra No.SBC-345/06-07 dtd 13.9.06 and 11.10.06 stated that the certificates were not transfer from Gariba Tola SO and not supplied to Gariba Tola SO.
6. Written statement dtd 22.9.06 and 1.12.06 of Smt. N. Ibemubi Devi.
7. Circular No.SB/KVP/Rlg-Corr dtd 20.1.05 and 4.4.05 of Divisional Office, Imphal.
8. Letter No. SB/KVP/Rlg-Corr dtd 20. 1.05 and 4.4.05 of Divisional Office, Imphal regarding negative list.
9. Extract of Rule 23 (1) (c) of Post office Saving Manual Volume-II.
10. Extract of Rule 31 (1) and Rule 37 (4) of Post office Saving Manual Volume-II.
11. D.G's letter No.5-20/CP-06/2000 Inv dtd 28.29.8.2001 communicated vide Divisional Office Imphal letter No. SB/Cent/Rlg/PI-V dtd 17.10.05.
12. Extract of Rule 23 (1) of Post office Saving Manual Volume-II.

Annexure-IV

List of witnesses by whom the articles of charge framed against smt. N. Ibemubi Devi, the then SPM Lamlong Bazar SO now under suspension are proposed to be sustained.

1. Shri L. Tiken Singh, then SDIPOs Uthul Sub-Dn, now SDIPOs Churachandpur Sub-Dn.
2. SPM Gariba Tola SO (Chapra HO).
3. Md. Abdul Kalam, PA Imphal HO.
4. Shri S.P. Vaiphei, then DPM, IP HPO.
5. Smt. Kim Vaiphei, then DPM, IP HPO.


 C. Manoj Kumar
 Director Postal Services
 Manipur, Imphal-795001



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH AT GUWAHATI

O.A. No. 290 OF 2007

Smt N. Ivemubi Devi

...Applicant

-Versus-

Union of India & Ors.

....Respondents

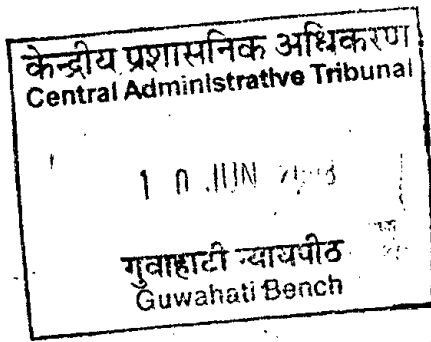
INDEX OF THE WRITTEN STATEMENT

<u>SL.NO.</u>	<u>PARTICULARS</u>	<u>PAGE NOS.</u>
1.	Written statement	1 - 15
2.	Verification	16
3.	Annexure- 1 (Copy of letter dtd.21.10.99)	17-23
4.	Annexure- 2(Copy of letter dtd.20.1.05)	24
5.	Annexure- 3 (Copy of letter dtd.4.4.05)	25

Filed by

Gautam Bisarya
S. G. S. S.

06.06.08



46
Gautami Prasad
06.06.08 So. Class

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH AT GUWAHATI

O.A. NO. 290 OF 2007

Smt N. Ibemubi Devi

...Applicant

-Versus-

Union of India & Ors.

....Respondents

The written statement on behalf of
the Respondents above named-

WRITTEN OBJECTION OF THE RESPONDENTS

MOST RESPECTFULLY SHEWETH:

1. That with regard to the statement made in paragraph 1 of the instant application the Respondents beg to state that the applicant was placed under suspension by the then DPS Manipur for not following the procedure prescribed before effecting discharge of the 149 KVPs from 15.6.06 to 25.8.06 cited above and causing loss of public money to the tune of Rs.29,54,800/- to the department.

2. That with regard to the statement made in paragraph 2 of the instant application the Respondents beg to state that the applicant was placed under suspension by the then DPS Manipur for not following the procedure prescribed before effecting discharge of the

Contd...P/-

Copy received

Pocfamar
Advocate
5.6/08

FI Leddy
I. PANGERNUNGSANG
DIRECTOR POSTAL SERVICES (H)
N.E. Circle, Shillong-1

[2]

149 KVPs from 15.6.06 to 25.8.06 cited above and causing loss of public money to the tune of Rs.29,54,800/- to the department.

3. That with regard to the statement made in paragraph 3 of the instant application the Respondents beg to state that the applicant was placed under suspension by the then DPS Manipur for not following the procedure prescribed before effecting discharge of the 149 KVPs from 15.6.06 to 25.8.06 cited above and causing loss of public money to the tune of Rs.29,54,800/- to the department.

4. That with regard to the statement made in paragraph 4.1 of the instant application the Respondents beg to state that the applicant was placed under suspension by the then DPS Manipur for not following the procedure prescribed before effecting discharge of the 149 KVPs from 15.6.06 to 25.8.06 cited above and causing loss of public money to the tune of Rs.29,54,800/- to the department.

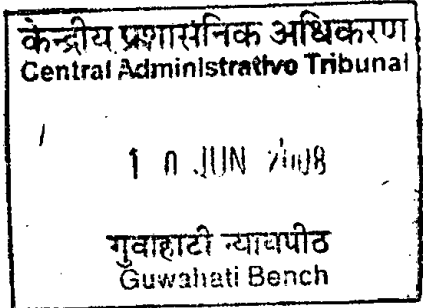
5. That with regard to the statement made in paragraph 4.2 of the instant application the Respondents beg to offer no comment.

6. That with regard to the statement made in paragraph 4.3 of the instant application the Respondents

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I. PANGERNUNGSANG
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.

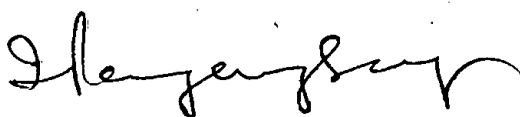


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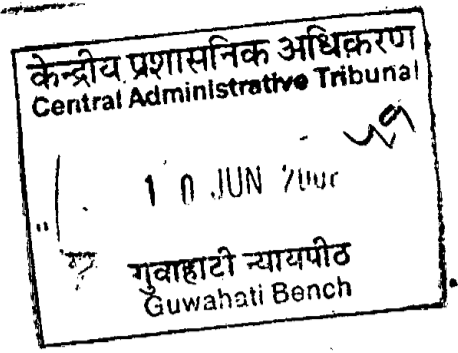
beg to state that if the applications are received on transfer (NC.32) from other offices, the sub postmaster has to verify the negative list containing the lost/stolen KVPs and if the KVP numbers are available in the negative list he should straight away reject the discharge. In this case Smt N. Ibemubi Devi SPM-Lamlong Bazar SO has not followed this instruction. All the 149 KVP numbers discharged by her are available in the negative list circulated by DPS Imphal vide letter which is noted at point No. (i) in the brief history of the case furnished above. Secondly she failed to forward NC-32 application to the DPS Manipur for causing verification of the genuineness of the issue and transfer of the KVPs from the office of issue i.e. Gariba Tola SO. After getting the confirmation, DPS Imphal should forward the same to the sub postmaster Lamlong bazar SO for effecting payment of the KVPs as required by Rules which is mentioned at point No. (ii) of the brief history of the case cited above.

She also failed to cause verification of the genuineness of the address furnished in the NC-32 by the investors namely A.K. Chaurasia, S.K. Bhargo and S.P. Jaiswal as mentioned in point No. (iv) of brief history of the case furnished above. She also failed to issue cheque for the discharged amount and instead paid cash and violated the rule mentioned at point No. (iii) of the brief history of the case noted above.

Contd...P/-



I. FANGERNUNGSANG.
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.



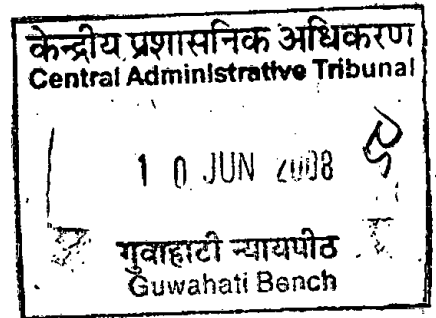
[4]

Inquiries made by the DPS Manipur, Imphal with the sub postmaster Gariba Tola SO through SSP Saran Division Chapra vide letter No. SBC 345/0607 dtd. 13.9.06 and 11.10.06 revealed that the above 149 KVPs were neither supplied to Gariba Tola SO nor transferred from Gariba Tola SO to Lamlong bazar and they are found as bogus KVPs. Even though charge sheet was issued to the applicant vide DPS Imphal memo No. F5-1/2006-07/Disc dtd. 23.8.07 so far she has neither recovered the amount from fraudulent investors to whom she has paid the money nor made good the loss sustained by the department by her. As a result of her non following the prescribed procedure before effecting discharge of KVPs the department is put to a loss of Rs.29.54,800/-.

7. That with regard to the statement made in paragraph 4.4 of the instant application the Respondents beg to state that - (i) Negative list containing the number of the lost/stolen NSCs/KVPs etc. have been circulated to the postmaster Imphal HO and all sub postmaster of Manipur Division vide Divisional Office No.F/Loss/NSC.IVP/KVP etc. dtd. 21.10.99 and also Divisional Office letter No. SB/KVP/Rlg/Corr dtd. 20.01.05 and 04.04.05. The revised procedure for making verification of the KVPs through Divisional head already circulated vide Divisional office letter No. SB/KVP/Rlg/Corr dtd. 20.01.05 and 4.4.05. All the above circulars were

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[5]

circulated to the postmaster, Imphal HO and all sub postmasters in Manipur-Division prior to the joining of the respondent No:4 in Manipur Division i.e. 13.10.05. Ignorance of rule or law is of no excuse. Before effecting payment of lakhs of public money every Govt. servant is expected to know the procedure prescribed and then only he/she has to effect payment. Effecting payment of lakhs of public money and subsequently pleading ignorance of the rule is of no excuse. Rulings, circulars and instructions on the subject are communicated by the DPS, Imphal from time to time in due course and it is the responsibility of the Postmaster/sub postmaster to keep the circulars and rulings properly and to follow whenever required and for that administration is not responsible.

Copies of the letter dtd. 21.10.99, 20.01.05 and 04.04.05 are annexed herewith as Annexures - 1,2 and 3.

(ii) The Inspection of head post office is not one man army. It has to be carried out by all the inspecting officers of the divisional and not by a single inspecting officer. The Inspection of Imphal HO for the year 2005 and 2006 was under the quota of DPS. As per the instructions of Shri Abhinav Walia, DPS (HQ) Shillong in-charge of Manipur Division, the inspection of Imphal HO for the second half year 2005 (30.11.05) and the

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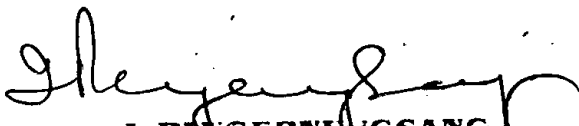

I. PANGERNUNGSANG
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.

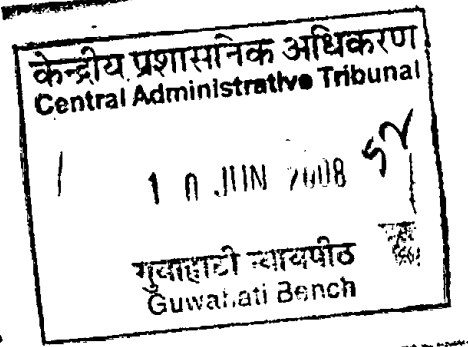
first half year 2006 (21.6.06) was entrusted to all the Sub divisional ASPOs and IPOs of Manipur Division i.e. S/Shri R.Kumar, B.Rajbongsi, Ksh. Tomba Singh, W. Suden Singh, Ksh Ibomcha Singh and Shri I. Tiken Singh. After preparation and typing of the IR the DSPO released the IR on behalf of the DPS Shri Abhinav Walia. During that period Shri S.K. Das, CPMG Shillong visited Imphal HO on 07.2.06, Smt Padmini Gopinath, CPMG Shillong visited on 7.7.06 and Shri Lalhluma PMG also visited Imphal HO on 18.7.06.

(iv) It is noticed that the revised procedure i.e. routing the applications received on transfer through Divisional Office is followed by the postmaster Imphal HO. The DPM Imphal HO is already following the procedure and referring the cases to divisional office, for causing verification of the genuineness at the office of issue. If the circulars are not received at Imphal how the DPM (SB) will refer the KVP transfer cases received from outside the state to Divisional Office? The under-mentioned three cases referred DPM (SB) Imphal HO to Divisional office. Imphal Aug 2005 and Sep 2005 itself are furnished below which indicates that the DPM knows the revised procedure and following the prescribed procedure.

Sl. KVP number	Amount	Letter of the Date of return of the PM Imphal HO verified NC-32 forms by divisional office Imphal.
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I. PANGERNU JGSANG
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.



[7]

1. 28CC 753936 and Rs.10000/- D3/Misc/SB-40 SB-SC/Misc/Corr-53/
927 from Aizawl each 05-06 dtd. 05-06 dtd.12.9.05
HO to Imphal HO 22.8.05
under Regn No.
34117 & 34118

2. 64AA 408858 to 61 Rs.1000/- D3/Misc/SB-43 SB-SC/Misc/Corr-58/
from Tinsukia to each 05-06 dtd. 05-06 dtd.25.1.06
Imphal HO under 23.8.05
Regn No.4944 of
Tinsukia.

3. 6NS 32 CC445487 Rs.1000/- D3/Transfer/SB- SB-SC/Misc/Corr-80/
and 05DD086587 each 1/95-06 dtd. 05-06 dt.24.3.06
from Pradhan 22.9.05
Nagar SO to Imphal
HO under Regd No.
No.1309 dt.4.3.99

8. That with regard to the statement made in paragraph 4.5 of the instant application the Respondents beg to state that the police investigation is also going on in this case FIR No.198(11) of Porompat Police Station dtd. 6.11.06 Rule 14 charge sheet was issued to the official vide divisional office, memo No. F5-1/2006-07/Disc dtd. 23.8.07. The Inquiry Officer and Presenting Officer appointed in this case. Inquiry is in progress.

9. That with regard to the statement made in paragraph 4.6 of the instant application the Respondents beg to state that the review of the suspension is under process. Police investigation is going on. The question of making the applicant as scape goat to cover up the omissions and commissions of others not arise. The

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I. PANGERNUNG SANG
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.

[8]

applicant herself failed to follow the prescribed procedure before discharge of the 149 KVPs received on transfer to Lamlong bazar SO and effected Rs. 29,54,800/- of public money for which she is responsible. Even though charge sheet was issued to her on 23.8.07 indicating the lapses on the part of the applicant she neither recovered the amount from the fraudulent investors to whom she has paid the amount nor made good the loss by her till date and the department is put to a loss of Rs.29,54,800/- on account of her failure to follow the prescribed procedure before effecting discharge of the KVPs. Instead of admitting her lapses, the applicant is throwing the blame on the inspecting officers of Imphal HO which has no relevance and which is bad.

10. That with regard to the statement made in paragraph 4.7 of the instant application the Respondents beg to state that the review of the suspension is under process. Police investigation is going on. The question of making the applicant as scape goat to cover up the omissions and commissions of others not arise. The applicant herself failed to follow the prescribed procedure before discharge of the 149 KVPs received on transfer to Lamlong bazar SO and effected Rs. 29,54,800/- of public money for which she is responsible. Even though charge sheet was issued to her on 23.8.07 indicating the lapses on the part of the applicant she neither recovered the amount from the fraudulent investors to whom she

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I. PANGERNUNG LANG
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.

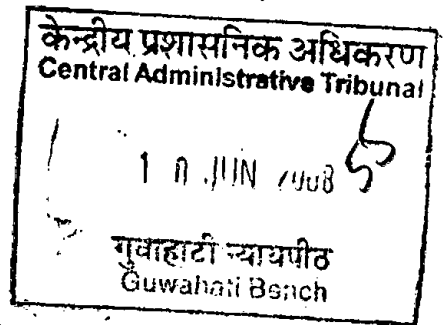
has paid the amount nor made good the loss by her till date and the department is put to a loss of Rs.29,54,800/- on account of her failure to follow the prescribed procedure before effecting discharge of the KVPs. Instead of admitting her lapses, the applicant is throwing the blame on the inspecting officers of Imphal HO which has no relevance and which is bad.

11. That with regard to the statement made in paragraph 4.8 of the instant application the Respondents beg to offer no comment.

12. That with regard to the statement made in paragraphs 5, 5.1, 5.3 & 5.4 of the instant application the Respondents beg to state that the review of the suspension is under process. Police investigation is going on. The question of making the applicant as scape goat to cover up the omissions and commissions of others not arise. The applicant herself failed to follow the prescribed procedure before discharge of the 149 KVPs received on transfer to Lamlong bazar SO and effected Rs. 29,54,800/- of public money for which she is responsible. Even though charge sheet was issued to her on 23.8.07 indicating the lapses on the part of the applicant she neither recovered the amount from the fraudulent investors to whom she has paid the amount nor made good the loss by her till date and the department is put to a loss of Rs.29,54,800/- on account of her failure to follow the prescribed procedure before effecting dis-

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I. PAINGERNUNGSANG
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.




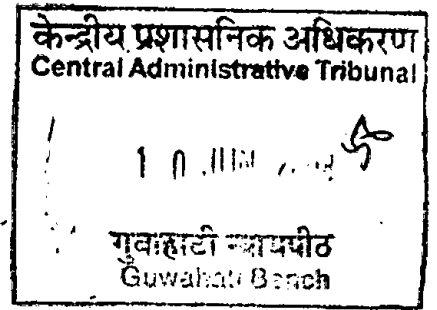
[10]

charge of the KVPs. Instead of admitting her lapses, the applicant is throwing the blame on the inspecting officers of Imphal HO which has no relevance and which is bad.

13. That with regard to the statement made in paragraph 5.2 & 5.5 of the instant application, the Respondents beg to state that - (i) Negative list containing the number of the lost/stolen NSCs/KVPs, etc. have been circulated to the postmaster Imphal HO and all sub postmaster of Manipur Division vide Divisional Office No.F/Loss/NSC.IVP/KVP etc. dtd. 21.10.99 and also Divisional Office letter No. SB/KVP/Rlg/Corr dtd. 20.01.05 and 04.04.05. The revised procedure for making verification of the KVPs through Divisional head already circulated vide Divisional office letter No. SB/KVP/Rlg/Corr dtd. 20.01.05 and 4.4.05. All the above circulars were circulated to the postmaster, Imphal HO and all sub postmasters in Manipur Division prior to the joining of the respondent No.4 in Manipur Division i.e. 13.10.05, Ignorance of rule or law is of no excuse. Before effecting payment of lakhs of public money every Govt. servant is expected to know the procedure prescribed and then only he/she has to effect payment. Effecting payment of lakhs of public money and subsequently pleading ignorance of the rule is of no excuse. Rulings, circulars and instructions on the subject are communicated by the DPS, Imphal from time to time in due course and it is the responsibility of the Postmas-

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I. PANGERNUNGSANG
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.




[11]

ter/sub postmaster to keep the circulars and rulings properly and to follow whenever required and for that administration is not responsible.

(ii) The Inspection of head post office is not one man army. It has to be carried out by all the inspecting officers of the divisional and not by a single inspecting officer. The Inspection of Imphal HO for the year 2005 and 2006 was under the quota of DPS. As per the instructions of Shri Abhinav Walia, DPS (HQ) Shillong in-charge of Manipur Division, the inspection of Imphal HO for the second half year 2005 (30.11.05) and the first half year 2006 (21.6.06) was entrusted to all the Sub divisional ASPOs and IPOs of Manipur Division i.e. S/Shri R.Kumar, B.Rajbongsi, Ksh. Tomba Singh, W. Suden Singh, Ksh Ibomcha Singh and Shri I. Tiken Singh. After preparation and typing of the IR the DSPO released the IR on behalf of the DPS Shri Abhinav Walia. During that period Shri S.K. Das, CPMG Shillong visited Imphal HO on 07.2.06, Smt Padmini Gopinath, CPMG Shillong visited on 7.7.06 and Shri Lalhluma PMG also visited Imphal HO on 18.7.06.

(iv) It is noticed that the revised procedure i.e. routing the applications received on transfer through Divisional Office is followed by the postmaster Imphal HO. The DPM Imphal HO is already following the procedure and referring the cases to divisional office, for cau-

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I. PANGKUNGSANG
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.

10.11.05

गुवाहाटी
Guwahati

[12]

sing verification of the genuineness at the office of issue. If the circulars are not received at Imphal how the DPM (SB) will refer the KVP transfer cases received from outside the state to Divisional Office ? The under-mentioned three cases referred DPM (SB) Imphal HO to Divisional office. Imphal Aug 2005 and Sep 2005 itself are furnished below which indicates that the DPM, knows the revised procedure and following the prescribed procedure.

Sl. KVP number	Amount	Letter of the PM Imphal HO	Date of return of verified NC-32 forms by divisional office Imphal.
----------------	--------	----------------------------	---

1. 28CC 753936 and 927 from Aizawl HO to Imphal HO under Regn No. 34117 & 34118	Rs.10000/- each	D3/Misc/SB-40 05-06 dtd. 22.8.05	SB-SC/Misc/Corr-53/ 05-06 dtd.12.9.05
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2. 64AA 408858 to 61 from Tinsukia to Imphal HO under Regn No.4944 of Tinsukia.	Rs.1000/- each	D3/Misc/SB-43 05-06 dtd. 23.8.05	SB-SC/Misc/Corr-58/ 05-06 dtd.25.1.06
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3. 6NS 32 CC445487 and 05DD086587 from Pradhan Nagar SO to Imphal HO under Regd No. No.1309 dt.4.3.99	Rs.1000/- each	D3/Transfer/SB- 1/95-06 dtd. 22.9.05	SB-SC/Misc/Corr-80/ 05-06 dt.24.3.06
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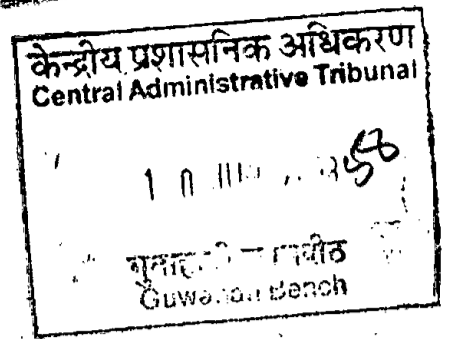
14. That with regard to the statement made in paragraph 5.6 of the instant application the Respondents

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I. PANGERNUANGSANG
DIRECTOR POSTAL SERVICES (HQ)


N.E. Circle, Shillong-1.



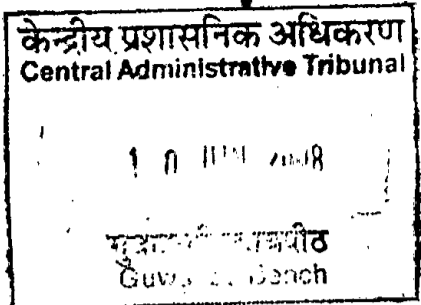
beg to state that The Dy SPOs Imphal is not competent to revoke the suspension ordered by the Director. He is subordinate to Director. Director is the head of Manipur Postal Division and competent to take any decision in the case. The question of misguiding the DPS by the DSP does not arise. The Director Postal Service, Manipur is the authority competent to take decision in this regard and not the DSP.

15. That with regard to the statement made in paragraph 5.7 of the instant application the Respondents beg to state that the police investigation is also going on in this case FIR No.198(11) of Porompat Police Station dtd. 6.11.06 Rule 14 charge sheet was issued to the official vide divisional office, memo No. F5-1/2006-07/Disc dtd. 23.8.07. The Inquiry Officer and Presenting Officer appointed in this case. Inquiry is in progress. The review of the suspension is under process. Police investigation is going on. The question of making the applicant as scape goat to cover up the omissions and commissions of others not arise. The applicant herself failed to follow the prescribed procedure before discharge of the 149 KVPs received on transfer to Lamlong bazar SO and effected Rs. 29,54,800/- of public money for which she is responsible. Even though charge sheet was issued to her on 23.8.07 indicating the lapses on the part of the applicant she neither recovered the amount from the fraudulent investors to whom she has

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I. PANGERNUNGSANG
 DIRECTOR POSTAL SERVICES (HQ)
 N.E. Circle, Shillong-1.

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[14.]

paid the amount nor made good the loss by her till date and the department is put to a loss of Rs.29,54,800/- on account of her failure to follow the prescribed procedure before effecting discharge of the KVPs. Instead of admitting her lapses, the applicant is throwing the blame on the inspecting officers of Imphal HO which has no relevance and which is bad.

16. That with regard to the statement made in paragraph 5.8 of the instant application the Respondents beg to offer no comment.

17. That with regard to the statement made in paragraph 6 of the instant application the Respondents beg to state that the police investigation is also going on in this case FIR No:198(11) of Porompat Police Station dtd. 6.11.06 Rule 14 charge sheet was issued to the official vide divisional office, memo No. F5-1/2006-07/Disc dtd. 23.8.07. The Inquiry Officer and Presenting Officer appointed in this case. Inquiry is in progress.

18. That with regard to the statement made in paragraphs 7 of the instant application the Respondents have no comment.

19. That with regard to the statement made in paragraphs 8 of the instant application the Respondents have no comment.

Contd...P/-

I. PANGORNUNGSANG
 DIRECTOR POSTAL SERVICES (HQ)
 N.E. Circle, Shillong-1.

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मुख्यालय
Guwahati Bench

[15]

20. That with regard to the statement made in paragraphs 9 of the instant application the Respondents have no comment.

21. That with regard to the statement made in paragraphs 10 of the instant application the Respondents have no comment..

22. That with regard to the statement made in paragraphs 11 of the instant application the Respondents have no comment.

23. That with regard to the statement made in paragraphs 12 of the instant application the Respondents have no comment.



I. PANGERNUNGSANG
DIRECTOR POSTAL SERVICES (HQ)

N.E. Circle, Shillong-1.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 JUN 2008 61
गुवाहाटी न्यायपीठ
Guwahati Bench

[16]

VERIFICATION

I, I. PANGERNUNGSANG... s/o. HA. K. M. GUWAHATI
aged about 48 years, R/o Shillong
District E. Khasi and competent officer of the District Postal Services (HQ)
answering respondents, do hereby verify that the state-
ment made in paras 1-6, 8-23 are true
to my knowledge and those made in paras 7
being matters of record are true to my information
derived therefrom which I believe to be true and the
rests are my humble submission before this Hon'ble
Tribunal.

And I sign this verification on this 3rd day
of June 2008 at Guwahati.

I. Pangernungsang
Signature
I. PANGERNUNGSANG
DIRECTOR POSTAL SERVICES (HQ)
N.E. Circle, Shillong-1.

Department of Post: India.
Office of the Director Postal Services: Manipur: Imphal.
795001.

Annexure - 1

O. P/Loss/S.C, IVP/KVP etc. Dated at Imphal the 21.10.99.

- To,
1. The Postmaster, Imphal SO-795001.
 - 2-52. All SAs in Manipur.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
JUN 2008

Sub: - Fraudulent encashment of KVPS/SCs/IVPs, lost/stolen in transit during transportation.

A copy of D.O. letter No. 5-20/D1-01/98-IVP dated 22.2.99 from Directorate, Delhi along with a list of stolen/lost SCs/IVPs/KVPS which forwarded by CIM, Shillong vide his letter No. IVP/X/SC-KVP-III-C-etc/Loss dtd. 20.9.99 on the above subject is sent herewith for information and necessary action.

The Postmaster, Imphal and all SAs in Manipur are requested to submit the latest details of Savings Certificates lost/stolen/missing by 10/99 in the enclosed format to send consolidated report to C.O.

Sl. No.	Name of Dn.	Des etc/Particulars	When & how R/R/invoice	Sl. No. of the case	Sl. No. of certificate
1.	2.	3.	4.	5.	6.

Category	Denomination	Total No. of certificate	Face value	Remarks
7.	8.	9.	10.	11.

This may please be treated as most urgent.

Incl: - As stated above.

For, Director Postal Services
Manipur Divn, Imphal-795001.

Copy of the letter refer to above.

This is regarding frauds in KVPS/SCs/IVPs through fraudulent encashment of instruments/lost/stolen in transit during transportation through railways.

2. Kindly find enclosed herewith the list of lost/stolen KVPS/SCs/IVPs for further circulation to all concerned in your Circle and necessary action.

3. It must be ensured that the circulation of lost certificates is made available to each and every Post office in the Circle to guard against their fraudulent encashment.

4. Particulars of lost certificates in this list should be checked and their correctness confirmed before circulating the same to subordinate units. In case, there is any omission/delation/correction, the same should invariably be rectified and intimated to Directorate as the said information is also to be passed on to the banks by the Directorate to avoid fraudulent encashment of the lost certificates.

The receipt of the letter may kind be acknowledged to Shri Vinod Nathur, SO (Investigation).

Yours sincerely,
sd/-

(INDILAK DEURI)

Sl. No.	Name of Circle	Serial No. of Instrument lost	Total No. of Instrument lost	Demerit
(1)	(2)	(3)	(4)	(5)
1.	A.P. Circle	NIL	NIL	NIL
2.	1. Assam Circle	NSC. 1) 17CC 174001-175000	2000	RS. 1000/-
		ii) 185001-186000		
		KVF 1) 35A 605001-606000		
		ii) 609901-610000		
		iii) 610901-611000		
		iv) 613001-615000	6200	RS. 1000/-
		v) 619001-621000		
		vi) 629001-630000		
3.		IVF 1) 44C/600001-602000	48000	RS. 2500/-
		ii) 608001-612000		
		iii) 617994-624002		
		iv) 624004-650000		
4.		IVF 1) 42C/030001-030600	800	RS. 2500/-
		ii) 030801-031000		
5.		KVF 1) 38AA 680001-681000	21005	RS. 1000/-
		ii) 682001-686000		
		iii) 688001-689000		
		iv) 690001-691000		
		v) 694001-706000		
		vi) 708001-710000		
6.		IVF 50C/342042-053	12	RS. 2500/-
7.		i) 61B/203002	6394	RS. 500/-
		ii) 222001-224000		
		iii) 225001-226000		
		iv) 227001-228000		
		v) 229001-230000		
		vi) 236920-946		
	IVP	vii) 237001-500		
		viii) 237644		
		ix) 237657-238000		
		x) 238194-238302		
		xi) 238394-238398		

-18-

62

67

7. Assam Circle
 xii) 238400, 238538 & 238544
 xiii) 238690-239000
 xiv) 239964-239966
8. KVP 1) 29BB/723194 948 Rs.5000/=
 ii) 725001-5099
 iii) 725101-5703
 iv) 730080-081
 v) 730126-300
 vi) 730801-864
 vii) 740301
 viii) 753670-672
9. KVP 1) 50AA/846005 1204 Rs.1000/=
 ii) 846097-847000
 iii) 853001-852297
 iv) 912509-510
10. KVP 1) 34CC/570101-182 593 Rs.10000/=
 ii) 579401-445
 iii) 579495
 iv) 579525-700
 v) 579702-990
- 3-ix
 1. Bihar Circle. 5 IVP/31 B-584001-584200=200
 5 IVP/31 B-584301-584411=111 779 Rs.500/=
 5 IVP 31 B-584533-585000=468
2. 5 IVP/18-4-418948-418954 07 Rs.250/=
3. 6 NS/16 CC 380001-381000=1000 2000 Rs.1000/=
 6 NS/16 CC 389001-390000=1000
4. 5 IVP/24C 560001 =01
 5 IVP/24C 579938-941 =04
 5 IVP/24C 579945-947 =03 27 Rs.2500/=
 5 IVP/24C 579950-956 = 07
 5 IVP/24C 579986-997 = 12
5. 5/2KVP 21BB/014102-014300=199
 5/2KVP 21BB/014405-015000=596 795 Rs.5000/=
6. 5/2KVP 20CC 386080-386350=271
 -do- 391001-391114
 =114 386 Rs.10000/=
7. 5/2KVP 35AA-729882-729001= 227 Rs.1000
 -do- 729991-730000
 740001-741000
 759301-754000
 759901-760000
8. 5/2KVP 31BB-006001-008000=2000 8900 Rs.5000/=
 -do- 010001-016000=6000
 033101-034000= 900
9. 5/2KVP 34BB/574001-574031=031 225 Rs.5000/=
 -do- 574034-574036=003
 574047-574200=001
 574086-574200=115
 574241-574242=002
 574301-574373= 73
- 5/2KVP-34BB/619037 =01
 -do- 619122-619132=11
 619135-619143=09 286 Rs.5000/=

1.	2.	3.	4.	5.	6.
10.	5/2KVP/22 BB/599111-499300=190		190	500/=	
11.	6NSQ-22CC/070001-070300 = 300		463	1000/=	
	6NSC-32CC/049099 = 001				
	6NSQ-32CC/049118-049200 = 083				
	6NSC-32CC/049201-049277 = 077				
	6NSC-22CC/139044-139045 = 022				
12.	6NSQ-22BB/480001-480213 = 213		219	500/=	
	6NSQ-22BB/480244-480249 = 066				
13.	5/2IVP 42A/169901-170000 = 100		100	500/=	
14.	6NS/22BB/000240 = 01				
	6NS/22BB/005001-007000 = 2000		7001	500/=	
	6NS/22BB/013001-015000 = 2000				
	6NS/22BB/021000-022000 = 1000				
	6NS/22BB/023001-024000 = 1000				
	6NS/22BB/027001-028000 = 1000				
15.	5/2KVP-57BB/372669-374700=32				
	-do- 374701-374746=46		181	5000/=	
	-do- 374780-374782=03				
	-do- 374901-375000=100				
16.	5/2IVP-67B/920001-940000=20000		60000	500/=	
	-do- 960001-100000=40000				
17.	5/2KVP-56CC/882001-884000=2000		28200	10000/=	
	-do- 885001-889000=7000				
	-do- 892001-893000= 200				
	-do- 893001-894000=1000				
	-do- 896001-904000=8000				
	-do- 906000-912000=6000				
	-do- 949001-950000=1000				
	-do- 955001-958000=3000				
18.	5/2KVP-45CC/118906 =001		2240	5000/=	
	-do- 163301-163990=690				
	-do- 173001-173775=775				
	-do- 173795-173982=188				
	-do- 180052-180133=082				
	-do- 180197-180200=004				
	-do- 180201-180700=500				
19.	1 Delhi IVP 28C 261953-54 = 2		5	2500/=	
	Circle IVP 28C 263701-03 = 3				
2.	KVP 27CC-816914-934 = 21		22	10000/=	
	KVP 27CC-816914-934 = 21				
	KVP 27CC 816949 = 1				
3.	KVP 30BB 365741-744 = 4		6	5000/=	
	KVP 30BB 394851-853 = 2				
4.8	5/2IVP 62 B 100001 & 100022 = 2		47	500/=	
	5/2IVP 62 B 104001-012 = 12				
	5/2IVP 62 B 104439-471 = 33				
5.	KVP 41 CC 943286-287 = 2		2	10000/=	
6.	IVP 65C 619001-100 = 100		1571	2500/=	
	65C 619201-620000=800				
	65C 638001-639671=671				
5.	Gujarat Circle	NIL			

	2	3	4	5	6
1. Haryana NSC 14EE 488001-492000 Circle -do- 498001-500000 -do- 502001-506000			10000	10000/=	
2. NSC 21 DD 687296-687341=46			46	5000/=	
3. KVP 64AA 751001-752000=1000 754001-767000=13000 770001-772000=2000 777001-782000=5000 784001-787000=3000 787001-787209=209 787213-788000=788 791001-792000=1000 794001-795000=1000 799001-800000=1000 774001-776000=2000			29997	1000/=	
7. H.P. Circle 45BB 786001-786006 = 6 51AA 366013 = 1			6 1	5000/= 1000/=	
8. J&K Circle KVP 57AA 168288 to 168292 = 5 168355-168357 = 3 168417-168500 = 84 168501-168600 = 100 168628-168673=46 168808-168828 = 21 168839-168900 = 62 168901-169000 = 100			421	1000/=	
9. Karnataka Circle		NIL	NIL	NIL	
10. Kerala Circle		NIL	NIL	NIL	
11. M.P. Circle NSC 28CC 262001 NSC 28CC 262005-262023 NSC 28CC 262101 NSC 28CC 262299-262300			23	1000/=	
12. Maharashtra Circle		NIL	NIL	NIL	
13. N.E. Circle		NIL	NIL	NIL	
14. Orissa Circle IVP 77 B 620301-400 IVP 77 B 620580-800 IVP 77 B 620896-898 IVP 77 B 620900-1000			100 221 03 101	500/=	
15. 1 Punjab Circle KVP 58AA 810401-811000 -do- 818001-819000			1500	1000/=	
2. KVP 57BB 032801-032900			5000	1000/=	
16. Rajasthan Circle		NIL	NIL	NIL	
17. Tamilnadu Circle KVP 41BB 674992-675000			9	5000/=	
18. 1 U.P. Circle KVP 03 GG 160001-180000 2. KVP 03 GG 094801, 095000 096001, 299, 300, 672 673, 699, 706, 847 to 859 891 to 900, 901, 908 to			20000 02 42	50000/= 50000/=	

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
Guwahati Bench

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1.	2.	3.	4.	5.	6.	
18.	3 U.P. KVP Circle	916,999,097000 0300W33001 to 008,133696 0300 135114,135140 to 145, 135222 135295,325 to 476,401, 135468 to 476, 601 to 642, 135782. 0300 134924 to 933 134984 to 135000 0300 099007 to 052 603,728,099939,982 to 996,998,100000 0300 090450,470,904 to 908 995,090999,521 0300 087102 to 105 03 00 083043,099,146,171 03 00 084614, 56 03 00 082824,933,083000 03 00 089000 03 00 080144,200,301,393 to 400 03 00 127971 03 00 155007,008,010,011,012 155072,073,074,075,119,162 205,277,287,548,801,891,892 939,940,941 03 00 093307,308,309,400,531 03 00 132801 to 815, 925 03 00 093307, 308,309,400, 531,093,46,047 0300 092133,946,950 0300 089136,137,138,998	09	50000/=		
			64			
			27			
			66			
			10			
			04			
			04			
			02			
			03			
			01			
			11			
			01			
			21			
			16			
			07			
			03			
			04			
3.	KVP 28CC	290001-291000 296001-297000 300001-301000 303001-304000 314001-315000 358001-357000 324101-324200 324030-324099	6170	10000/=		
A.	KVP 28EE	959812-960000	189	500/=		
5.	KVP 67AA	360001-364222	222	1000/=		
6.	KVP 22EE	961001-961107	107	500/=		
7.	KVP 51 AA	786836 775001-775056 775518 770906 761391 839001-840000	1060	1000/=		
8.	KVP 43 BB	555999	1	5000/=		

2.	3.	4.	5.	6.
9. U.P. Circle	KVP 52AA 201001-201100 52AA 224501-224600 52AA 204001 52AA 204242-204244 52AA 204601	491	1000/=	
10.	KVP 43CC 882952-972 43CC 888801-838 43CC 896200	60	10000/=	
11.	KVP 31CC 350301, 350475 350476, 350477, 350478, 350479	06	10000/=	
12.	KVP 32BB 105801-106000 32BB 794997	201	5000/=	
13.	NSC 18BB 728001-729000 18BB 738001-739000 18BB 740001-741000 18BB 741001-742000 18BB 759001-760000 18BB 729401-729600 18BB 729779-729974 18BB 739386-740000	6011	500/=	
14. West Bengal Circle	NSC 19BB 080001-120000	40000	10000/=	
	KVP 46 CC 880001-920000	40000	10000/=	
	46 CC 840001-880000	40000	10000/=	
	46 CC 960001-961047	1047	10000/=	
	46 CC 961051-965000	3950		
	46 CC 970001-971736	1736		
	46 CC 976001-977000	1000		
	46 CC 971738-975000	3263		
	46 CC 980001-987000	5000		
	46 CC 990001-991000	1000		
	46 CC 991701-991999	299		
	46 CC 992001-992998	998		
	46 CC 993000	1		
	46 CC 994001-997000	3000		
	50 AA 080001-120000	40000	1000/=	
	46 CC 986001-987000	1000	10000/=	
	44 BB 641001-645000	4000	5000/=	
	" 645001-650000	4000		
	" 655001-656000	1000		
	" 662001-664000	2000		
	" 651296-651300	5		
		11005		

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
10 JUN 2018
गुवाहाटी न्यायपीठ
Guwahati Bench

True copy
Bans.
Advocate

Attested

Superintendent of Post Offices
Manipur Division, Imphal-795001.

Annexure - 3

-2/5-2A

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केन्द्रीय प्रशासनिक अधिकरण
 Central Administrative Tribunal

10 JUN 2008

गुवाहाटी न्यायपीठ
 Guwahati Bench

DEPARTMENT OF POSTS : INDIA
 OFFICE OF THE DIRECTOR OF POSTAL SERVICES : MANIPUR : IMPHAL - 795001

No. SB/KVP/RLG-Corr 04th April '05
 To

1. The Postmaster Imphal HO
2. The ASPOs 1st Sub-Div. Imphal
3. The SDPOs in Manipur Div.
4. All SPMs in Manipur Div.

Sub: Checking of POs Savings Certificates with reference to the relevant records in Post Office viz. Negative list, Register of Lost/Stolen Certificates before allowing their encashment/discharge after confirming their genuiness from the office of issue:- changes of procedure regarding:

In continuation of this office letter of even no dated 20-01-2005 on the captioned subject, a copy of the letter No 61-7/2003-SB dated 16-03-05 received under Cos.letter no. SB/1-7/KVP/NSC/loss/2001 dated 24-03-2005 is appended below for your information, guidance and wide circulations.

[Signature]
 For Director Postal Services
 Manipur Div. Imphal-795001.

Copy of the letter refer to above:

In order to further tighten the new verification procedure as prescribed vide this office letter No 5-30/ASM-01/2004-INV dated 06-01-2005 so that it may not lead to an necessary delays and give rise to public complaints, it has been decided to prescribe the below given time lines for the new verification procedure:

Steps	Activity	Time line
1.	Postmaster after consulting the negative list or the register of lost/stolen certificates and after his satisfaction will sent such applications, with details received from the holder to the concerned Divisional Office.	Within 24 hours of the receipt of the application in the Post Office
2.	The concerned Divisional Office will forward the application to the parent Divisional Office of the Post Office which issue the certificates	Within 48 hours of the receipt of the application in the divisional Office
3.	The Parent Divisional office will verify the particulars given in the application from the Post Office of issue and returned the same duly countersigned by the SSPOs concerned to the Divisional Office of the Post Office where such certificates were presented for encashment.	Within 7 days of the receipt of the application in the parent Divisional Office
4.	The concerned Divisional Office after receipt of the application from the parent Divisional Office after due verification, will communicate the same to the Post Office where application was presented for payment and payment will be made after following due procedure as per the rules	Within 24 hours of the receipt of the application in the concerned Divisional Office

3. All the inspecting Authorities who inspect the concerned Post Offices/Divisional Offices have to compulsorily check that the above time line is strictly observed by all concerned and strict action should be taken against the concerned official(s) in case of default.

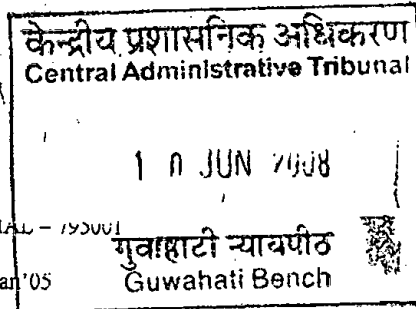
Sd/-
 (Manisha Mishra)
 ADG (BS&SC)

*The copy
 for
 Advoct*

Attended

[Signature]
 Superintendent of Post Offices
 Manipur Division, Imphal-795001.

-2A-
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DEPARTMENT OF POSTS : INDIA
OFFICE OF THE DIRECTOR OF POSTAL SERVICES : MANIPUR : IMPHAL - 795001

No. SB/KVP/RLG-Corr
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20th Jan '05

1. The Postmaster Impnal HO
2. The ASPOs 1st Sub-Dn. Impnal
3. The SDIPOs in Manipur Dn.
4. All SPMs in Manipur Dn.

Sub: Checking of POs Savings Certificates with reference to the relevant records in Post Office viz, Negative list, Register of Lost/Stolen Certificates before allowing their encasement/discharge after confirming their genuineness from the office of issue: changes of procedure regarding:

A copy of Dir's letter No 5-03/ASM-01/2004-INV dated 06-01-2005 received under Cos letter no. SB/1-7/KVP/NS/Loss/2001 dated 13-01-05 is appended below for favour of information, guidance necessary action for wide circulations.

[Signature]
For Director Postal Services
Manipur Division Impnal-795001

Copy of letter refer to above:

Recently, some incidents of fraudulent issue of lost/stolen savings certificates (lost/stolen in transit between ISP Nasnik and various CLS) and their subsequent fraudulent discharge by unscrupulous elements in various Post Offices in the country have come to notice. The modus operandi adopted by the fraudsters is that they use fake date/name/designation stamps etc of different Post Offices in the country to defraud the Department. It has also been seen that our staff are not referring to the negative list at the time of discharge and in respect of transferred certificates produced for encasement, the verification is not been done properly and there is sufficient reason to suspect connivance between staff and criminal elements.

2. In view of above, as a preventive measure, it has been decided that henceforth verification of savings certificates produced by holder at a Post Office other than the office of issue is to be done through the concerned Divisional Office instead of the existing practice of Post Office directly verifying certificates from the Post Office of issue. Now Post Offices (including Class-I HO) will consult the negative list or the register of lost/stolen certificates and after its satisfaction send such applications with details received from the holder to the concerned Divisional Office which in turn will forward the application to the parent Divisional Office of the Post Office which issue the certificates which will further verify the particulars given in the application from the post office of issue and returned the same duly countersigned by the ASPOs concerned to the Divisional Office of the Post Office where such certificates were presented for encasement. For the purpose, both Divisional Offices will maintain a separate register with details of such transfer allowed/disallowed. The transmission of the application of transfer at all levels should be made only by registered post and particulars of register entries should not be disclosed to the applicant/investor, etc. The above procedure should also be adopted in the cases of transfer of Saving Certificates from one Post Office to another Post Office, where the investor has submitted his application of transfer (NC-32) at the Post Office of registration.
3. Further all payments on discharge of transferred certificates should be made through Account Payee Cheque only irrespective of the amount of discharge proceeds and payment should be effected only after proper verification of the local address of the payee.
4. These instruction should be circulated immediately to all concerned for immediate implementation.
5. The receipt of this letter may kindly be acknowledged.

SD-
DUO (Vig)

*True copy
for
Annexure*

Attested

[Signature]
Superintendent of Post Offices
Manipur Division, Impnal-795001.