

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 139/95.....

R.A/C.P No.....

E.P/M.A No.....

1. Orders Sheet O.A. 139/95 Pg. 1 to 3
2. Judgment/Order dtd 28/7/95 Pg. No. Separated orders disposed
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A. 139/95 Pg. 1 to 154
5. E.P/M.P. Nil Pg. to
6. R.A/C.P. Nil Pg. to
7. W.S. Nil Pg. to
8. Rejoinder Nil Pg. to
9. Reply Pg. to
10. Any other Papers Pg. to
11. Memo of Appearance
12. Additional Affidavit
13. Written Arguments
14. Amendment Reply by Respondents
15. Amendment Reply filed by the Applicant
16. Counter Reply

SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
GUWAHATI

ORIGINAL APPLN. NO. 139 OF 1995

TRANSFER APPLN. NO. OF 1995

CONT EMPT APPLN. NO. OF 1995 (IN OA NO.)

REVIEW APPLN. NO. OF 1995 (IN OA NO.)

MESC. PETN. NO. OF 1995 (IN OA NO.)

.....Vasant Bhalerao APPLICANT(S)

-VS-

.....V. C. I. Tony RESPONDENT(S)

FOR THE APPLICANT(S)

...MR. Imperson
MR.
MR.
MR.

FOR THE RESPONDENTS

...MR. A. K. Choudhury
Addl. C. G. S. C.

OFFICE NOTE	DATE	ORDER
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This application is in
form and within time.
C. F. of Rs. 50/-
deposited vide
IPO/BD No. 326322
dated 15.7.95

28.7.95

Heard the applicant in person.

Mr A.K.Choudhury, Addl.C.G.S.C for
respondents 1, 2 and 3 on notice.

The applicants belong to Maharashtra. He is a member of Scheduled Caste community. He was initially posted at Bombay Television Centre in 1972 and was transferred to Doordarshan Kendra, Dibrugarh on 10.5.1993 as Senior Administrative Officer. According to him his transfer is on tenure basis and at the end of that tenure he will be eligible to be transferred to a place of his choice and Pune and Bombay are places of his choice.

However, the applicant has several grievances against the authorities of Doordarshan Kendra, Dibrugarh. He has sought relief in respect of those grievances. However, we find that strictly speaking these reliefs are not capable of being entertained by this Tribunal. The applicant has to move appropriate authorities for grant of police protection. The request to direct enquiry and disciplinary action against defaulters through C.B.I., the relief to authorise

See

contd..

28.7.95 him to exercise administrative and financial powers do not fall within the ambit of jurisdiction of this Tribunal. The applicant cannot seek negative relief not to transfer him and to compel the respondent No.2 to transfer respondent No. 4.3 to facilitate investigation to avoid possible tampering of official records. The only relief relating to service matter sought is not to transfer him on the basis of false complaint and to transfer him to Doordarshan Relay Centre, Pune but since that prayer is coupled with the request to transfer the post also that does not fall within the ambit of jurisdiction of this Tribunal. His prayer for direction for his transfer is also coupled with his apprehension that he may be transferred on false complaint, is premature till the tenure is over. We therefore find it difficult to entertain the application as disclosing any grievance at present which can be redressed in exercise of jurisdiction under the provisions of the Administrative Tribunals Act. We have explained the about position to the applicant and he has understood the same. Hence with liberty to the applicant to approach the Tribunal in the matter of his transfer or any other grievance when arises relating to his service condition which is required to be dealt with by this Tribunal, the application is disposed of as not maintainable, at this stage. The applicant will be at liberty to approach the appropriate forums for redressal of his grievances which are outside the purview of this Tribunal, if so advised in accordance with the law. We make it clear that on completion of the tenure/posting of the

(43)

28.7.95 applicant in N.E.Region has been on tenure basis it will be open to the applicant to apply for transfer to a place of his choice which request however will be made to the concerned authorities to consider him in accordance with the rules and the decision will lie with them. This clarification should not be understood as giving any direction to the respondents in any manner in that respect.

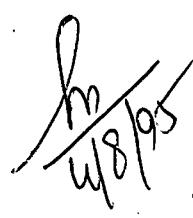
Copy of this order may be furnished to the applicant and Mr A.K. Choudhury, Addl.C.G.S.C.



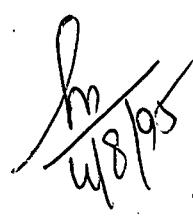
Member



Vice-Chairman



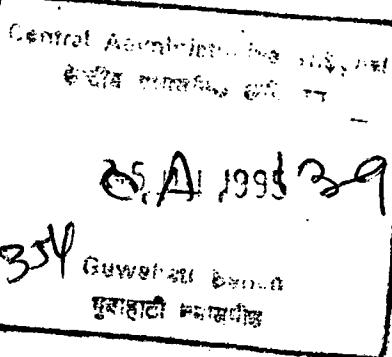
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11/8/95

APPENDIX - A

From - I



(See Rule - 4)

Application under section 19
of the Administrative Tribunal Act, 1985

Original APPLICATION NO.

Title of the Case :- Shri Vasant Bhalerao
Son of Shri Pitanbar Bhalerao
Working as Sr. Administrative Officer,
Doordarshan Kendra, Dibrugarh.
... Applicant

-VS-

The Union of India and Others. ...

... Respondents

INDEX

<u>Sl.No.</u>	<u>Description of document relied upon</u>	<u>Page No.</u>
1.	Application	1-58
2. A-1	Association of Radio and Television Engineering Employees, unit at Doordarshan Kendra Dibrugarh, circular dt 30.5.95	59
3. A-2	Letter No DDK/DIB/ARIEE/95-21 dt 15.6.95 from the aforesaid Association.	60-61
4. A-3	ICM No Misc/DIB/95-5/1160 dt 5.6.95	62
5. A-4	Note No DDK/DIB/Misc/95 S/1244-1248 dt 13.6.95 issued by the Applicant	63-64
6. A-5	Sree Bhalerao Sr. A.O. the Applicant's application dt 17.6.95 addressed to Director Doordarshan Kendra Dibrugarh regarding filing a case in the CAT	65-66
7. A-6	Audit querry No 7 by the internal Check organisation Ministry of I & B, P.A.O. Calcutta.	67-68

contd ... 2

Received copy
A. K. Chawdhury
Addl. C. S.
25/7/95

1	2	3
8. A-7	Audit Querry No -8	-do- 69-70
9. A-8	" " No.17	-do- 71-73
10. A-9	" " No.30	-do- 74
11. A-10	" " No.35	-do- 75-80
12. A-11	Note dated 18.11.93 regarding omission of cash withdrawal and missing of cash Book page No 42.	81-82
13. A-12	Memo No DDK/DIB/105/93-P/42-43 dt 20.11.93 issued to Sree Haque, Accountant and Sree P.N. Saikia, former cashier.	83
14. A-13	Note dt 23.11.93 regarding applicant's request for shifting D.D.M.C. office to it's hired Building.	84-85
15. A-14	Note dated 25.11.93 regarding shifting of cash counter.	86
16. A-15	Order No DIB/DDK/8(13)/93A/4460 dt 30.11.93 issued to Shri P.N.Saikia Cashier indicating cash balance of Rs 282/- etc.	87
17. A-15	Reply dt 27.11.93 from Sri Haque, Acctt.	88
18. A-15	Reply of Shree P.N.Saikia, Cashier.	89
19. A-16(i)	DIB/HPN/8(2)/93-A-4442 dt 27.11.93 changing duty of Sree Nath from SGI to SK.	90
20. A-16(ii)	Letter No DiB/DDK/89(9)/93-94/4592 dt 6.12.93	91-92
21. A-16(iii)	NFIBE's letter signed by Sree Haque as Secretary NFIBE.	93-94
22. A-17	Letter dt. 9.12.93 from Sree Haque, Accountant comitted know to avoid threatening.	95
23. A-18(i)	Note dt 31.12.93 from Sree Haque, Accountant threatening against effecting Recovery.	96
24. A-18 (ii)	Note dt. 31.12.93 from Sree Ta lak Gara, ASD and Sree I.Haque, Accountant.	97
25. A-18(iii)	Continuation of above note by Sr. A.O. and Director.	98
26. A-19	Letter dated 4.1.94 from Sree Nath, Unit Secy. Administrative Staff Association. enclosing threwe with minutes dt 3.1.94 signed by him and President Sri P.C.Chetia.	99-101
27. A-20(i)	Noting page No. 17 dt 4.1.94 point No.8 to 12 and (ii) threatening by the transport -clerk .	102-103

1	2	3
28. A-21	Note dt. 12.1.94 cashier intimated balance of Rs 37.00 etc.	104
29. A-22	Memo No. DiB/DDK/8C(13)93-5/5357 dt 20.1.94 issued to Shree P.N.Saikia , Cashier.	105
30. A-23	Application dt. 15.3.94 regarding discrepancy in T.A. for Rs 4,205/-	106
31. A-24	Telephone threatening on 17.3.94 reported to Director vide application dt. 19.3.94 .	107-108
32. A-25	Note dt. 30.3.94 advice by the Applicant not to encash March salary cheque on 31.3.94.	109
33. A-26	Director's note dt 31.3.94 regarding order to encash salary cheque on 31.3.94	110
34. A-27	Memo No DiB/DDK/7(3)95-8/5319 dt 31.1.95 to Sree R.N.Mazumder , Cashier for recovery of Rs 5,865/-	111
35. A-28	Memo No. DiB/DDK/7(3)95-5/5320 dt 31.1.95 to Sree S.Chakravarty , Cashier for recovery of Rs 536/-	112
36. A-29	Application dt 10.2.95 from Sree R.M.Mazumder, Cashier, for extension of period of cash recovery from him.	113
37. A-30	Order No Dip/PPC(TV)/8(3)/90-A/IH/5629 to 5633 dt. 17.2.95 for recovery of Rs 800/- from Shri. I.Haque, Accountant.	114
38. A-31	Cashier's note dt. 18.2.95 for recovery of Rs 1200/- from Sree I.Haque, Accountant.	115
39. A-32	Order No DIB/PPC Rs (TV)/8C(3)/90-A/I.H/5656 dt 18.2.95 issued to Sri I.Haque, Accountant for recovery of Rs 1200/-	116
40. A- 33	Letter No DIB/DDK/14(3)/95-5 dt 22.2.95 proposal of transfer of Shri I.Haque, XXXXXX Account from Dibrugarh to Jorhat.	117-118
41. A-34	Complaint dt. 3.4.95 by Sri S.Paul, LDC against Sri T.N. Swargowari, Helper regarding quarrel with cashier.	119
42. A-35	-do- complaint by Shri S.Chakravarty, Cashier.	120

1	2	3
43. A-36	Memo No. DIB/DDK/10(2)/95-5/59 dt 4.4.95/ 121 to Shri T.N.Swargiri, Helper.	
44. A-37	ICM (Internal Circular Memo) No DIB/DDK/ 122 36(5) /94-95/94 dt. 5.4.95 regarding streamlining of the procedure- for early payment of O.T.A, T.A , Medical Bills and cash receipts from cashier for refunding, cash T.A. Advances.	
45. A-38	DIB/DDK/I(12)/95-5/693 dt 9.5.95 regarding 123-124 recovery of cash TA Advance etc.	
46. A-39	Extract of Bare Articles No. 113,114,19,21 and 46	125
47. A-40	ICM. No DIB/DDK/51(8) Security/94-95/689 dt. 9.5.95	126
48. A-41	Cash advance note dt 20.5.95 for Rs 7000/- taken by the Director.	127
49. A-42	Complaint by Shri S.Paul for non- availability 128 of vehicle on 31.5.95	
50. A-43	Complaint by Sri S.Chakrabarty, Cashier	129
51. A-44	Extracts of Bare Articles 39,226.15 & 16,21 and 46 etc.	130
52. A-45	Note dt. 30.5.95 from Director for shifting 131-133 of Drivers Room to staff quarter etc.	
53. A-46	Order No Misc/DIB/45-S/1124 dt 2.6.95 regarding shifting of Drivers Rooms to staff 134 quarter.	
54. A-47	Draft proposed letter for transfer of Sri 135-136 K.Rajbanshi, Driver.	
55. A-48	Doordarshan Itanagar letter No DDK/ITA/14(6) 137 /95 -5/48.86 dt 9.12.94	
56. A-49	Letter No DDK/DIB/I/(II)95-96/585 dt 3.5.95 138-142 regarding enquiry about Ist class ,Rail Journey etc. by Sri G.R. Deka, Mast Techni- cian and Memo No DIB/DDK/1(II)/Tour/93-94/ 3914 dt 1.11.93 issued to him.	
57. A-50	Central Civil Service (Recognition of service 143 Association) Rule 1993.	

1	2	3
58. A-51	Duties and responsibilities of Director Doordarshan Kendra.	144
59. A-52	D.G. Doordarshan OM NO 22/74/94-5-II dt 19.9.94 proformance of duties of sr. AO/AO by other officiers not justified.	145
60. A-53	Staff colony welfare committee meeting circular dt. 18.6.95	146
61. A-54	Duties of DDA/Sr. AO/AO	147
62. A-55	D.G. Doordarshan's security circular	148
63. A-56	Literature piece appeared in 'Sakal' dt 15.11.94 i.e reference case -LLJ october/94 alongwith its transalation in English.	149-151
64. A-57	Note dt 16.6.95 regarding back log of SC/ST vacancies.	152-154



Signature of the applicant.

For use in TRIBUNAL's OFFICE

DATE OF FILING :-

OR

DATE OF RECEIPT BY POST :-

REGISTRATION :-

, Signature for Registrar.

10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GAUHATI BENCH :::: GUWAHATI

Shri Vasant Bhalerao, Son of
Shri Pitamber Bhalerao, presently
Resident of Quarter No.C-18 of the
Doordarshan Staff Qtrs., DIBRUGARH,
working as Senior Administrative
Officer in Doordarshan Kendra, DIBRUGARH
786 003. (Resident of PUNE i.e. Room No.2
Bankar Coloney, Near Patil Work-shop,
Hadapsar, PUNE - 411 028.

... APPLICANT

- VERSUS -

1. The Secretary Ministry of Information & Broadcasting, New Delhi-110 001.
2. The Director General, Doordarshan, Doordarshan Bhawan, Mandi House, Copernicus Marg, New Delhi-110 001.
3. Shri M.C. Rajkhowa, Director, Doordarshan Kendra, DIBRUGARH-786003
4. Shri P.C. Datta, Unit Secretary of the Association of Radio & Television Engineering Employees, Unit-Doordarshan Kendra Dibrugarh, Working as Sr. Engineering Assistant in Doordarshan Kendra, DIBRUGARH-3.

5. Shri M. Kanwar, Clerk-I/UDC,
former Cashier, Doordarshan Kendra,
DIBRUGARH.

6. Shri I. Haque (Former Accountant
of Doordarshan Kendra, Dibrugarh)
Doordarshan Maintenance Centre,
JORHAT.

7. Shri P. N. Saikia, Clerk,
Grade-I/U.D.C. Former Cashier,
Doordarshan Kendra, DIBRUGARH.

8. Shri S. Nath, Clerk Grade-I/U.D.C.
then Stationery Clerk, at present
Store Keeper, Doordarshan Kendra,
DIBRUGARH.

9. Shri P.C. Chetia, Head Clerk,
Doordarshan Kendra, DIBRUGARH.

10. Shri Shantanu Chakraborty, Clerk,
Grade-II/LDC, Cashier, Doordarshan
Kendra, DIBRUGARH.

12. Shri R. M. Majumdar, Clerk Grade-II/
LDC, former Cashier, Doordarshan
Kendra, DIBRUGARH.

... RESPONDENTS

9

DETAILS OF APPLICATION :

1. PARTICULARS OF THE ORDERS/LETTERS AGAINST WHICH/FOR VIOLATION OF WHICH THE APPLICATION IS MADE :

(A) The Circular dated 30.5.95, as at Annexure-A-I, circulated amongst other 4 Service Associations in Doordarshan Kendra, Dibrugarh, by Shri P. C. Dutta, Unit Secretary Association of Radio & Television Engineering Employees inciting others to form common platform, defaming the authority unconcerned about the staff welfare for not providing them towels and soaps in violation of Rule 3 and 7 of C.C.S. (Conduct) Rules, 1964.

(B) Complaint Letter No. DDK/DIB/ARTEE/95-21 dated 15.6.95, as at Annexure A-2 addressed to the Director, Doordarshan Kendra Dibrugarh, hereinafter called as Respondent No.3, by Shri P.C. Dutta, Unit Secretary of the recognised Service 'Association of Radio & Television Engineering Employees' in Doordarshan Kendra, Dibrugarh, where Shri P.C. Datta is working as Senior Engineering Assistant, hereinafter called as Respondent No.4, who has given notice of agitational path from the 19th June, 1995 against the Applicant demanding punishment of reprimanding and degradation of the Applicant and withdrawal of office note No. DDK/DIB/Misc./95-S/1244-1248 dated 13.6.95 as at Annexure-A-4, issued by the Applicant.

(C) Willful violation by the Respondent No.4, of Internal Circular Memorandum (abbreviated as ICM) Misc/DIB/95-S/1160 dated 5.6.95 as at Annexure-A-3 issued by the Director, Doordarshan Kendra, Dibrugarh, i.e. Respondent No.3, who ordered therein the instructions viz. 'All the staff members including leaders of the Staff Associations are informed that, they should contact only Director for their cause of grievance, if any, on issue of any office communications etc. avoiding contacting subordinate officers like Sr. Administrative Officer/Administrative Officer etc. so that harmonious and healthy atmosphere may be ensured in the Office.

(D) The Applicant requested the Respondent No.3 and submitted an application dated 17.6.95 as at Annexure-A-5, followed by discussion with him, that the notice of agitation by the Respondent No.4 is of lawlessness, prejudicial to public order, of wrongful restraint and of incitement amounting to subversive of discipline and harmful to the public interest, as an act of unbecoming of a Government Servant of which as a preventive measure, written report should be made to the Officer-in-charge of the Police Station having jurisdiction, requesting to register the offence, endorsing copies thereof to the Police Commissioner, Superintendent of Police and the Home Secretary to the State Government as required under the Rule 7(3)(iii) of CCS(Conduct) Rules, 1964 (Swamy's Compilation 1990 Edition).

2. JURISDICTION OF THE TRIBUNAL :

The Applicant declares that the Subject matter of the orders/letters against which he wants redressal is within the jurisdiction of the Hon'ble Tribunal.

3. LIMITATIONS :

The Applicant further declares that the Application is within the limitation period prescribed in Section 21 of the Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE :

(a) THE BRIEFS ABOUT THE APPLICANT :

The Applicant Shri V.P. Bhalerao, is from Maharashtra whose home town is Bombay and children (One Son & One daughter) with his wife are staying in Pune both the children are educating in Marathi Medium Colleges. Of course the birth place of the Applicant including his ancestors and his other keen relatives is in Maharashtra.

(b) THE SERVICE CARRIER OF THE APPLICANT :

The Applicant entered the Central Government Service on 5.2.1972 in the Television Centre, Bombay-25, and by virtue of qualifying in the Departmental Examinations for promotion to the post of Clerk Grade-I and another Examination for promotion to the post of Accountant/Head Clerk, and being a Member of Scheduled Caste Community got promotions to the posts of Clerk Grade-I on 24.8.77, Accountant/Head Clerk

on 27.9.79, Sr. Accountant on 30.1.86 Administrative Officer on 28.7.87 and Sr. Administrative Officer on 9.11.92. The Applicant came on transfer to Doordarshan Kendra, Dibrugarh on 10.5.93.

(c) THE AUDIT REPORT OF DOORDARSHAN KENDRA, DIBRUGARH :

The Applicant joined the Doordarshan Kendra, Dibrugarh on 10.5.93 and proceeded on leave from 7.6.93 till 6.10.93. Prior to this, the Applicant has worked in Bombay, ~~Aurangabad~~ Aurangabad (Maharashtra), Varanasi (Uttar Pradesh), Daltonganj (Bihar) but to his Surprise and worry that he has never come accross such Office and persons like in Doordarshan Kendra, Dibrugarh where huge procedural lapses including financial mal-practices exist, voilating Rules etc. with a 'he men's daring' by the staff concerned as it would be evident from the Audit Report by the Internal Check organisation, Ministry of Information & Broadcasting, Explanade, East, Calcutta-700 069. The said Audit team conducted the Audit in the month of May, 1990, which consisted of Shri S.K. Basak, Asst. Accounts Officer, Shri H.D. Bhattacharya, Shri T.K. Dass Jr. Accounts Officers etc. Out of these audit objections some more serious Audit Queries No.7,8,17,30 and 35 are enclosed as Annexure-A-6,A-7,A-8,A-9 and A-10 respectively. This was hidden from the Applicant for many days. The said Audit observed the financial and procedure lapses etc. on maintenance of Cash Book, which were so Serious that they were compelled to pass the remarks as under. Shri Mohan Kanwar, Clerk Grade-I/UDC functioned

as Cashier for which period the audit was conducted.

(i) 'This is considered irregular and also willful negligence to follow rules' ... Annexure A-6.

(ii) 'This is considered as a gross violation of financial rules' ... Annexure A-7.

(iii) 'Correct Picture of cashbalances in hand not been depicted in the Cash book during that period and upto 5.5.90 (i.e. when the Audit was conducted) which was highly irregular' ... Annexure A-8.

(iv) 'It was not possible to ascertain whether all the Demand Drafts received (from the Pay & Accounts Office in respect of all kinds of payments) by the Kendra had been duly accounted for or not or duly disposed of or not from April,88 onwards (i.e. right from the inception from 19.4.1988 onwards) ... Annex-A-9.

(v) 'In the event of above noted irregularities it is considered that the Cash Book TR-4 is defective and incomplete account of Cash transactions made in this Office from 19.4.88 to 30.4.90. As a result the day to day cash balance in hand, shown in the Cash Book can not be correct and authentic. The Cash Book should be discarded immediately and fair Cash Book in from GAR-3 should be opened from 19.4.88 to 30.4.90 and written properly' ... Annexure A-10

(d) APPLICANTS STARTING AS DRAWING & DISBURSHING OFFICER IN THE DARKNESS :

The Sr. Administrative Officer and Administrative Officers are in charge of Administration including Establishment, Accounts and Transport Section vide Doordarshan Manual Vol-I Para 4-2-49 and para 4-2-50 and the duties of Head Clerk and Accountant are specified in the said Manual at Para 4-2-51 and 4-2-52 respectively. Accordingly the drawing and Disbursing function of the Government Cash is the port folio of either A.O. or Sr. A.O. as the case may be. The Applicant happens to be the first Officer in Doordarshan Kendra, Dibrugarh belonging to the Accounts-Administration Discipline. Prior to him Gazetted Officers of the elsewhere category of Engineering and programme Cadre functioned as Drawing and Disbursing Officers. When the Applicant joined Doordarshan Kendra Dibrugarh on 10.5.93 Sri Tadak, Gara, Asst. Station Director was functioning as Drawing and Disbursing Officer, who just handed over the keys of the Cash Box without handing over the Cash Balance, Saying that the Accounts People including Cashier are very good persons who will give Clear picture of the Cash and whatever the surplus or shortage of Cash is there, they will help to rectify it. The A.S.D. added that he did not know anything about cash book etc. and he signed it because the Accountant Signed. He told that, as he did not take over the cash he would not handover any thing. He (the A.S.D.) was

asked to sign the Cash book etc. etc., So he did. Thus the Applicant was unfortunate to start with in a chaotic condition, halting the improvement in the situation. The Applicant could not propose disciplinary measures because the exact amount of shortage was not so easily ascertainable, as its roots went deep with wide spreading so many Sub-roots right from 19.4.1988 to 10.5.1993 the arrival day of the Applicant. This difficulty is also expressed by the said Audit in the Annexure-A-8, stating 'Correct picture of cash balance in hand had not been depicted' and in the Annexure-A-10, stating '....As a result of the day to day cash balance in hand shown in the cash book, can not be correct and unauthentic'.

(e) FRAUDULENT ACT OF TAMPERING AND TEARING OFF CASH BOOK PAGE NOTICED - WHICH INCREASES FURTHER ENMITY WITH THE APPLICANT :

The Applicant was facing the problems of acute shortage of actual cash balance in hand, though the amount of permanent advance for petty cash transactions was made available for Rs. 40,000/- cash transactions was made available for Rs. 40,000/- (Rupees Forty thousand) only. For Example Rs. 282/- (Rupees two hundred eighty two) only was available as actual cash on 30.11.93, as stated in Annexure A-15. The Accountant, Shri Haque, stated on 31.12.93, that 'MONEY IS NOT AVAILABLE', in Annexure-A-18, Rs. 37/- was available on 12.1.94 as stated by the Cashier in Annexure- A-21; and so on. The Accountant and Cashier used to show all old and current notes of cash

19

T.A. Advances given to Staff, whose T.A. Bills were already settled, and resultantly the amount could have been recovered and made available. Both of them were befooling the Applicant, despite the fact detected by the Applicant that withdrawals of Rs. 3,000/- on 8.12.92, Rs. 1,200/- on 8.2.93 and Rs. 1,000/- on 18.8.93 (Total omission of Rs.5,200/-) was not recorded on the Receipt side of the Cash Book. In another words these sums were taken away. It was also noticed that page No. 42 of the Cash Book was missing and similar page bearing No.42 was replaced from the another Cash Book meant for VLPT (Very Low Power Transmitter), Khonsa. This khonsa's Cash Book was maintained by the Doordarshan Maintenance Centre - a small independent Office which was in one of the rooms of the same Doordarshan Kendra, Dibrugarh (which is shifted to its hired building about six months ago). This fraud was brought to the notice of the Director, the Respondent No.3 vide Applicant's note dated 18.11.93, as at Annexure- A-11. The Respondent No.3, issued memo to Sri I. Haque, Accountant and Sri P.N. Saikia, Cashier vide Memo No.DDK/DIB/105(i)/93-p/42-43 dated 20.11.93, as at Annexure A-12, both of them submitted explanations at Annexure-A-15(I) and Annexure A-15(II). The tortured Applicant, was so much under tension and feare that he had to keep mum at these dramatic actions, willfully avoiding disciplinary actions against them.

(f) NON-SHIFTING OF CASHIERS ROOM AND CASH BOX NEAR THE APPLICANT DESPITE HIS REQUEST INTENTIONALLY to mal Practices :

In view of the problems as experienced which are stated in the foregoing paragraphs, the Applicant requested vide note dated 23.11.93, to the Respondent No.3 for shifting the Doordarshan Maintenance Centre (DDMC) to their hired building which is few furlong away from the Building of the Doordarshan Kendra, as at Annexure-A-13, The Applicant vide his note dated 25.11.93, i.e. Annexure- A-14, requested the Respondent No.3 to shift the Cash Counter from Ground Floor to the First Floor in the Vacant room near the Room of the Applicant with a view to enable him to exercise control over Cash transactions etc. It was also requested to affix the Cash Chest in the Applicant's Room as per Rules. But the Respondent No.3 did not accede to these requests as his own chamber is on the ground floor and the sitting arrangement of Accountant and Cashier was also on the ground floor, at the distance of few feet from the Room of the Respondent No.3. The Cash Chest is in the Chamber of the Station Engineer opposite to the Chamber of the Respondent No.3. All these, were facilitating him to have close contact with Accountant and Cashier and vice-Versa, which lead to grew the financial anomalies and strengthen the activities of Accountant, Cashier etc. in a very irrational way.

(g) UNAUTHORISED UTILISATION OF AMOUNT OF MISCELLANEOUS RECEIPTS FOR PETTY CASH TRANSACTIONS INSTEAD OF DEPOSITING IT IN THE GOVERNMENT ACCOUNT :

Even after exhausting a sum of Rs. 40,000/- (Rupees Forty Thousand) only (as on Imprest, money for petty cash transactions), it was noticed that Rs. 10,875/- (Rupees ten thousand Eight hundred seventy five) only was used for petty cash transactions, instead of depositing it in the Government Account, which is not permissible under the rules. This was pointed out by the Applicant vide his note dated 19.11.93 on the second Page of Annexure A-11.

(h) CLEVER TRICKS OF ACCOUNTANT TO SAFEGUARD HIMSELF FOR HIS FRAUDULENT ACTS WITH THE HELP OF HEAD OF OFFICE CLERICAL STAFF AND SERVICE ASSOCIATIONS ETC. ETC. :

(h) I. DIRECTOR AS SAFEGUARDING ASSOCIATE OF FRAUD MAKERS ; AS EXAMPLES FEW INSTANCES ARE QUOTED BELOW :-

On 31.12.93 Shri Tadak Garg, Asstt. Station Director requested for cash advance of Rs. 1,000/- Rs. 400/- and Rs. 300/- for the purpose of Official tour to the distant place beyond Brahmaputra. The Accountant Shri Haque wrote in his note dated 31.12.93- 'Imprest money is not available, hence Sr. A.O. (i.e. the Applicant) may suggest from where the proposed amount of Rs. 1,700/- is to be paid. 'This is in his note at 'A' in the Annexure- A-18(ii). The Applicant

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advised at 'B' below the Accountant's note that the said amount can be paid by effecting recovery of Rs. 1300/- (from Accountant) + Rs. 1,000/- + Rs. 500/- from other clerical Staff, sum total of which is Rs. 2,800/-, for which, the Respondent No.3 passed the remarks in his note as in Annexure-A 18(iii) viz. 'The Advance of Rs. 1300/- was taken by Accountant on 28.4.92 (i.e. a year ago). Please effect deduction as proposed by Sr. A.O. (i.e. the Applicant). The Accountant gave another note on the same day to the Respondent No.3 as at Annexure-A-18(1) threatening that the said recovery is unjustified and against Govt. Rules, reparation of which would put the office in trouble, in various ways which was already narrated to the S.D. (the Station Director) i.e. the Respondent No.3, who tactfully stopped the recovery stating the reasons of Makar Sankranti Festival on 13.1.94 & 14.1.94. Thus the Accountant and Respondent No.3 appeared to have joined hands together, systematically degrading the Applicant and creating insabordination by the Accountant & Concerned Clerical Staff working under the Applicant. Thus Respondent No.3 was habituated to do so, often and playing policy of 'Devide & Rule', which gives room to doubt, his such actions for the sake of malafide gains by misappropriating Government money. Thus the Applicant was helpless. Thus the Accountant had a strong hold over the Head of Office, the Director, the financial Sanctioning Authority. Hence it is obvious doubt

is that, this is why the Director i.e. Respondent No.3, did not agree to shift the Cashier's counter on the ground Floor (Near the Accountants and his Room) to the First Floor near the Applicant's Room, though the proposal was as per procedure, despite Applicants request as in Annexure A-14. Similarly, instead of initiating investigation and disciplinary action against the Accountant and Cashier, after noticing the financial fraud as in Annexure A-11, the Respondent No.3, simply issued a Memo as at Annexure A-12, asking Accountant & Cashier to rectify the defects in consultation with Sr. A.O. and he was reluctant to initiate proper action as per Rules. Thus he safeguarded them and humiliated Sr. A.O. the Applicant, by showing the courage that nothing will be harmful for the fraudulent staff members, which gave an encouragement to fraud makers and disheartened the Applicant leading to his ~~leadership~~ of Accountant ~~xxx~~ disappointment and adding to insults and insubordination by some of the Clerical Staff members under the leadership of Accountant with the super safeguard shelter of the Respondent No.3 and therefore, in absence of the Sr. A.O. the Applicant, under the charge of Director, the Respondent No.3, again financial frauds of imprest money, were noticed, recovery for which was ordered from the concerned as Rs. 5,865/- from the Cashier Shri R.M. Mazumdar vide Memo dated 31.1.95, Rs.800/- and Rs.1300/- from Accountant Shri Haque vide orders

dated 17.2.95 and 18.2.95 respectively, Rs. 536/- from another Cashier Shri S. Chakraborty, vide Memo dated 31.1.95, who is also responsible for shortage of Rs. 1,070/- which he has defined as an old short amount in a vague manners, in fact it was not so. This is explained in detail in the following paragraphs in chronological order. This indicates the safe guards for fraud makers by the Respondents No.3.

(h) II. STRONG HOLD OF ACCOUNTANT OVER STATIONERY CLERK AT THE COST OF THE WOOLLEN LIVERIES FOR SECURITY GUARDS AND OTHER GROUP 'D' STAFF

Shri S. Nath, Clerk Grade-I was working as Stationery Clerk and before the arrival of the Applicant (i.e. 10.5.93) the matter of purchase of Woolen Cloth was pending from the year about 1989-90. The Security Guards are ex-service men who are aware of their rights of woolen liveries, who were always reminding the Applicant to look into the matter of woolen liveries pending for a long period. Whenever the Applicant enquired and ordered course of action in the matter, Shri Nath used to say that he has to consult Mr. Haque Da, being financial matter involving payment of Rs. 35,877/- to M/s. National Textile Corporation Ltd. the Authorised Government approved organisation whose rates for woolen cloth are decided by the Central Government. On finding the difficulty that the pay & Accounts Officer will not make advance payment on the basis of proforma

Invoice and the said N.T.C. will not supply the woolen cloth unless the payment is made before hand, the Applicant approached the Director General Doordarshan, New Delhi for seeking Sanction for the said advance payment to N.T.C. and thereafter the applicant went on leave for a period of about 3 months from 7.6.93 to 6.10.93 (including suffixing prefixing joining time and holidays), The Directorate Doordarshan, New Delhi Communicated promptly sanction as sought, vide order No.9.3.92-A & G dated 6.7.93. The Applicant joined in October, 1993 asked the Accountant and the said Stationery Clerk about the same who used to give fake answers to the Applicant, about the receipt of the aforesaid Sanction. In the last week of November, 1993, when, the Applicant intended to give dictation regarding reminder to the Doordarshan Directorate for issue of Sanction, Shri Nath confessed that the Sanction has been received but Haque Da told him not to send the bill to pay & Accounts Office for payment as there is shortage of amount available under the Account Head, 'Office Expenses'. These tactics on the part of the Accountant and said Shri Nath, were not tolerable. The Applicant asked Shri Nath to send the bill to P.A.O., who dared to say as 'nothing will happen and you would see that the said bill will also be missed in the P.A.O.' This was really irritating. This was discussed by the Applicant with the Director the Respondent No.3, requesting him to transfer Shri Nath to Engineering Store Section.

No 3

The Respondent had no other way except to issue the proposed Change, which was materialised vide Order No. DIB/HPTV/8(2)/93-A/4442 dated 27.11.93, enclosed as Annexure-A-16(i), and thereafter the bill in question for Rs 35,877/- was sent to P.A.O. Vide D.O.L. No.DIB/DDK/39(9), 93-94/4572 dated 6.12.93, enclosing therewith the Doordarshan Directorate's Sanction order dated 6.7.93, the D.O. Letter dated 6.12.93, is placed as Annexure A-16(ii). The willful delay in payment of said N.T.C. Bill for Rs 35,877/-, gives room to doubt that because there is no gain to Accountant & Stationery Clerk in the said bill, they avoided it's disposal. Such a strong sydicate the Accountant formed, creating insults and insubordination to the Applicant.

(h) III. TO EXPAND THE AVENUES OF PROTECTION ACCOUNTANT FORMED TIES WITH SERVICE ASSOCIATIONS THROUGH WHOM HUMILIATION TO APPLICANT WAS CREATED.

1. The Accountant Shri Haque is the Secretary of the National Federation of Information and Broadcasting Unit in Doordarshan Kendra, Dibrugarh, who appears to be well conversant with the Rules & Regulations as per the letter addressed in 9/93 to the Respondent No.3, by him in the capacity of the Secretary of the aforesaid Federation's letter as at Annexure A-16(iii), who intended the agitational act of 'Gherao' to Station Head'. His such leadership appears to seek self safeguards only.

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2. Reference is invited to Annexure A-19, viz. Administrative Staff Association letter dated 3.1.94, addressed to the Respondent No.3, which is signed by Shri S. Nath, Unit Secretary and President Sri P.C. Chetia, who is working as Head Clerk. The points therein at Sr. No.(1) to (4), (8)-A, (8)-B, 9, 11, and 12 are aimed at the Applicant and amounts to threatening to the Applicant that :-

- i) Point No.1 is already narrated at Para (h)(II) on Page 15.
- ii) Point No.2 is briefed at Para (j) on Page 21.
- iii) Point No.3 is explained at Para (H)(I) on Page 12 & 13.
- iv) Point No. 4 is same which is discussed at Para (h) I on Page 12 & 13.
- v) Point (8) Co-ordination of the ^{ARTEC} Association will be sought against the Applicant.
- vi) Point (9) Shri S. Nath, Secretary is authorised to write to Directorate General Doordarshan (of course complaints against the Applicant).
- vii) Point (11) Pertains to the absence of the Applicant for which Association has nothing to do. The said Association stated to have enclosed the relevant papers in connection with the action of the Office, seeking permission of the Doordarshan Directorate for lodging complaint with Police about the Applicant (presuming him as missing person). No Association is supposed to have such access to such Official documents

in the capacity of office bearers of the Association, in violation Rule 7 (G.I.D.I. thereunder) of CCS (Conduct) Rules, 1964. Thus it is clear that the defaulters started efforts to unite and to raise fingers at the Applicant on the false ground. Thus the full threatened atmosphere against the Applicant was created. The so called enclosures were not shown to the Applicant by the Respondent No.3, who handed over the said letter to the Applicant, who was kept all aloof, boycotted socially, and cold war spread against the Applicant. With a view to bring more clarity the Applicant, has now, mentioned the relevant number of Annexures in the margin of the said letter of the said Association.

viii) Point (12) Shri P.C. Barua, C.G.I. (Transport Clerk) authorised to consult Lawyers against pay cut (Recoveries from the defaulters) as proposed by the Applicant.

ix) Point 8(A) Two delegates of the said Association alongwith two more delegates of the said ARTEE (on request) will be sent to New Delhi for discussing Anomalies created in last 3-4 months (of course by the Applicant).

(i) VIOLATION OF RULES BY THE ADMINISTRATIVE STAFF
ASSOCIATION UNIT, DOORDARSHAN, DIBRUGARH, IN
THEIR LETTER DATED 3.1.94.

The details of the letter dated 3.1.94 of the Administrative Staff Association, Unit, Doordarshan Kendra, Dibrugarh, are briefed above in the Paragraph No. (h) (III) (2). It will be observed that the said Association violated the Rules prescribed in the Department of Personnel and Training, Government of India's O.N. No. 2/10/80-JCA dated 5.11.93 i.e. para No. 6 (a) (b) (k) and (l)-

- *(a) The Service Association shall not send any any representation or deputation except in connection with a matter which is of common interest to members of the Service Association. The said Association represented for individual cases.
- (b) The Service Association shall not espouse or support the cause of Individual Government Servants relating to Service matters. The said Association targetted the Applicatant to protect few individuals.
- (k) The Service Association shall not do any act or assist in the doing of any act which, if done by a Government Servant, would contravene any of the provisions of the CCS(Conduct)Rules, 1964. The said Association defamed the Applicatant on false ground creating problems for his official work.

(1) Communication addressed by the Service Association or by any Office-bearer on its behalf to the Government or a Government authority, shall not contain any dis-respectful or improper language. The said Association used disrespectful and improper language against the Applicant.

(j) ACCOUNTANTS HIDDEN THREAT TO THE APPLICANT DISCLOSED BY HIMSELF TO ESCAPE :

Mr. Haque, Accountant was always talking to the Applicant, in victorious tone, about kidnappings, killings etc. of the higher officers of the eminent Offices/Organisations by some groups in Assam, the hidden intention behind it, of course, appears to threaten the Applicant. Having reference to his such talk in his mind, he himself wrote a letter dated 9.12.93, to the Respondent No.3, which is at Annexure- A-17, wherein he has denied of having threatened the Applicant and promised that no such Occassions will occur in future. But surprisingly Shri Haque took the matter in the meeting of the Administrative Staff Association on 3.1.94, as per their letter dated 3.1.94 forwarded to the Respondent No.3, as enclosed At Annexure A-19. At point (2) thereof the Applicant is insulted like anything for the statement that action against the defaulter, (i.e. the Applicant) should be taken within 7 days for his misbehaviour, Mis-conduct, Mis-deal and criminal activities of a Senior Most Officer (i.e. the Applicant) as previously reported by Shri I. Haque, Account in his written information dated 9.12.93, which is enclosed as Annexure- A-17. Thus the Accountant is

contraversial and capable to defame the Applicant in any manner, for no fault of the Applicant. The Respondent No.3, for no fault of the Applicant. The Respondent No.3, simply smiled asking the Applicant to forget and forgive them, as they are the Clerical Staff working under him. Thus the Respondent No.3 used to safeguard them.

(k) THRETTENING BY TRANSPORT CLERK TO THE APPLICANT & APPLICANT AVOIDING GIVING CHARGE OF TRANSPORT TO APPLICANT BY THE DIRECTOR :

Shri P.C. Barua, Clerk Grade-I/UDC has been functioning as Transport Clerk to maintain Office Vehicles etc. He was also affected by the proposal of recovery of Cash T.A. Advance as in Annexure-A-20(1) Annexure A-18(i) etc. He took this as if it harmed his sentiments and threatened the Applicant on 1.1.94 when the Applicant went to the Office room of Sri Haque Accountant, where said Sri P.C. Barua was also present, to wish them a 'Happy New Year'. The said Sri Barua said angrily to Sri A.O., the Applicant :-

"How we will be happy if ~~you~~ are making recoveries from our Salary. I will see that you won't go alive out of Dibrugarh, Understand?". The Applicant returned to his Office Room without doing orguems. The Director, the Respondent No.3 was not available in the Office on 1.1.94. This was discussed by the Applicant to the Respondent No.3, when he was available in Office on 3.1.94, who held meeting with Sri Barua, Sri Haque to consol the Applicant to prohibit him from giving a written complaint and to safeguard the said Mr. Barua.

However a short note was written by the Applicant, amongst other things, and this was recorded at point No.12 in the Note dated 3.1.94, which was discussed by the Respondent No.3 with said Sri P.C. Barua as per his side-note against the said point No. 12, as is evident from Annexure A-20(II) enclosed. As per the provision in Doordarshan manual para 4.2.49 and 4.2.50 the Respondent No.3 should have given the charge of the Transport Section to the Applicant but he did not do so.

(1) INTENTIONAL NEGLIGENCE OF TAKING COGNIGENCE OF FINANCIAL DISCREPENCY POINTED OUT BY THE APPLICANT:

On 15.3.94 the applicant brought to the Notice of the Respondent that under the Head Travelling Allowance there is a discrepancy of Rs. 4,205/- occurred in the month of November, 1993. That the pay & Accounts Office issued Demand Draft in November, 93 to the extent of Rs. 81,896/- but in the Bill Register (Page No.62 of GPA-9 Register) T.A. Bills are entered, the sum total of which is Rs.77,691/-. The difference of Rs. 4,205/- does not appear to have been entered in the Cash Book also. Hence clarification from Sri P.N. Saikia, Cashier & Sri I Haque, Accountant may be asked for, as per Applicants application dated 15.3.94, as enclosed at Annexure-A-23. None of them paid any heed to it and carelessness towards the Applicant was created which lead to frustration, and the Applicant was ~~wrongly~~ fed up of all these sorts of attitudes.

(m) THREATENING TO THE APPLICANT ON OFFICE
TELEPHONE :

On 17.3.94 at 12.15 P.M. on Office Telephone No.22742 the Applicant received a Telephone call with the under-mentioned conversation :-

" FORCE INDIRA AMMA STENOGRAPHER TO WITHDRAW
COURT CASE AGAINST RECRUITMENT OF PRODUCTION
ASSISTANT ELSE YOU WOULD BE DEFAMED AS HAVING
IMMORAL CONTACT WITH HER AND YOU BOTH WOULD
BE KILLED". etc. The Applicant enquired from telephone authority about the number from which the Applicant got that call, but they expressed inability. After signing some cheques & supplementary bills, the Applicant went to the Camber of the Respondent No.3, who was not available there as it was 1.00 P.M. the luck break. The Applicant went to Police Chowki, where Mr. Das, was the Thana-in-Charge, from where Mr. Das telephoned to Respondent No.3. The Applicant also telephonically briefed the Respondent No.3, the subject matter. The said Thana-in-charge, told to lodge the F.I.R. only after visiting the Respondent No.3 in the evening of that day. He didn't turn up upto morning of 18.3.94 In the lunch break, on 17.3.94, itself the Applicant informed about this to Miss Indira Amma, Steno to Respondent No.3, who is neighbour of the Applicant in the Staff Quarter. The Applicant also sent a telegram to the Director General, New

Delhi, on the same day, informing about this (i.e. the matter in the capital letters as above). The Applicant informed this to the Respondent No.3, in presence of Shri Tadak Gara, Asst. Stn. Director and a written report was given to the Respondent No.3 on 19.3.94, as at Annexure A-24.

(n) THE APPLICANT WAS KEPT IN DARK ABOUT THE RECRUITMENTS :

As a matter of fact the Respondent No.3, conducted tests interviews of the Candidates who applied for all the Group C Posts of programme Cadre in absence of the Applicant when he was on leave, from 7.6.93 to 6.10.93. The Applicant does n't know anything right from the process of Advertisement of these posts, Scrutiny of Applications, tests and interviews etc. All the Selection procedures/Papers were in the personal custody of Respondent No.3. Even after assumption of charge by the Applicant, he was not given any access to these papers and the Respondent No.3 and Shri P.C. Chetia, Head Clerk used to deal with these papers, by-passing the Applicant. Both of them were responsible for not filling up the posts reserved for Scheduled Caste and Scheduled Tribe Categories. It is wonderful to note that they filled up some of the posts by a General Category Candidates at the cost of the Welfare of SC/ST community, in violation of Rules concerned and Article 46 of the Constitution of India.

Recently, on receipt of letter from the Government regarding expeditions filling up the back log vacancies of Scheduled Caste and Schedules Tribe the Applicant asked the concerned Clerk Sri Maheswar Bora, L.D.C. as to whether all SC/ST posts are filled up by the candidates belong^{ing} to these communities or not. He sincerely told that as per direction from Shri P.G. Chetia, Head Clerk vacancies were filled up but there appears some lapses. As almost all the vacancies are filled up except one or two occurred due to recent transfers, the Head Clerk and the Respondent No.3 are not that ^{much} careful as they appeared to be so, in the past. The Applicant called for the information and it is revealed that 38 vacancies of various programme category were advertised which appeared in the daily 'Arunachal Times' dated 26.9.92 also, which is available in the Office file. Despite completion of full recruitment, the following three posts of Reserved Category were remained un filled:-

against which general candidates are received & recruited as details in Annexure A-5%.

1. Production Assistant : ONE - S.T.
2. Make up Assistant : ONE - S.C.
3. Floor Assistant : ONE - S.T.

This is discrimination to SC/ST community on the part of the Respondent No.3., in violation of the Article 46 of the Constitution of India.

(n) WILFUL VIOLATION OF RULES FOR ENCASHING SALARY CHEQUE ON 31ST MARCH, 1994, VIOLATING ARTICLE 114(3) OF CONSTITUTION OF INDIA :

On 30.3.94, Sri I.Haque, Accountant sent a loose note marked to the Applicant and Respondent No.3 Proposing encashment of March's monthly Salary on 31.3.94. On the said note the Applicant sincerely advised not to do so, as it was not permissible under the financial Rules Viz. Treasury Rules and the Central Government (Receipt & Payment) Accounts Rules, 1983 (Rule 64). As the Applicant was having doubt about the attitudes of the said Accountant, who was observed to be capable of doing anything wrong, the Applicant sent another independent Note as at Annexure A-25, after contacting telephonically, the Sr. A.O. in Doordarshan Kendra , Guwahati, who told that the Salary of March 1994 will be disbursed on 4.4.94. The Applicant proposed issue of a memorandum/warning to Shri Haque, Accountant for his misguiding. On 31.3.94 Sri Chakraborty Cashier was with the Applicant to take closing entries in the cash book and Verification of other related record. All of sudden, the Respondent No.4, Sri P.C. Datta, the Unit Secretary of the said Association of Radio & Television Engineering Employees, entered in the room of the Applicant with his fellow members asking for making March Salary payment on 31.3.94 itself. The Applicant booked a lightening telephone call, in their presence to contact Shri Gautom Sen, Dy Director General (Finance) in the Doordarshan Directorate, New Delhi which was not materialised.

The Applicant told them that such action of encashing March Salary Cheque on 31.3.94 is ^{di} contratory to financial rules, for which the Applicant will get a Warning Memo from the Directorate. The said Sri P.C. Datta told when last year such cheque was enclosed on 31.3.93 and payment in Cash Book was shown on 1.4.93, there is no objection from any side, how there will be Objection this time. The Applicant told them, it was mistake committed last year when the Applicant was not there. We have to correct the mistake and not to follow the mistake. They went away scolding the Applicant with insulting words as 'NONSENSE'. They went to the Director, the Respondent No.3, who called the Cashier Shri S. Chakraborty, who brought the note from him, which is at Annexure A-28, in which the Respondent No.3 ordered the Accountant to draw (encash Salary Cheque) on that day (on 31.3.94) and disburse Salary on 1.4.94. The Accountant ordered the Cashier to do the needful ordered by the Respondent No.3, marking the note to Sr. A.O., the Applicant, The Cashier and the Applicant informed the Respondent No.3 about the 'Gherao' to the Applicant by the Respondent No.4, advising to consult the Directorate etc. but the Respondent No.3 again firmly ordered drawal of (encashment demand draft) salary cheque on 31.3.94. He encashed the Cheque, himself under his own signature. The Applicant had not any time left to his disposal as he was to proceed on leave to go to Pune(Maharashtra) for which

he had already booked reservation tickets. In the tortured disappointed condition the Applicant handed over the charge of the Cash and Cash Book etc. to the Respondent No. 3 in the forenoon of the 31.3.94 i.e. before lunch break. The Applicant left Dibrugarh for Pune on the evening of 31.3.94 to bring his family members and came back with them and assumed charge after 4.5.94.

(o) DESPITE ODD EVENTS AND ATMOSPHERE APPLICANT INTRODUCED THE PRESCRIBED CASH BOOK: BROUGHT CASH BALANCES UPTO DATE, EVEN THEN THE RESPONDENTS NO.3 CHEATED CASH SHORTAGES :

The Applicant despite all these hurdles, tortures, humiliation tried his level best to get the Cash Book introduced in the prescribed from GAR-3 and cash balances were brought upto date by recovering cash from the staff concerned who got cash T.A. Advances, and who did not return cash even after settling of their concerned Tour T.A. Bills. The Applicant used to tell the concerned Cashiers to prepare fresh cash books for the past period, as they have neglected the Audit Objections for which serious disciplinary action will be taken against them. They should complete it even during the leave period of the Applicant, Much has been achieved, which needs thorough check up. The correct format of Cash Book was introduced by the Applicant in the year, 1994. The Cash anomalies were reduced to greater extent. The Applicant agains proceeded on leave from 4.7.94 to 4.2.95 (about 7 months) during which period

The Respondent No.3 functioned as Drawing & Disbursing Officer. The concerned i.e. Sri I. Haque and Cashiers Sri R.M. Majumder, L.D.C. and Shri S. Chakraborty, LDC, created cash discrepancies again. Shri M.S. Memom, Administrative Officer came on transfer to Doordarshan Kendra, Dibrugarh in the month of December, 94 and because of the maintenance of Cash Book in the prescribed from GAR-3, he was able to assess the exact amount of shortage of Cash Balance, Despite misguidance by Shri Haque, Acctt. and both the Cashiers, based on his Report Cash recoveries from the defaulters were ordered as under :-

- 1) Shri R.M. Majumder, Cashier Rs. 5,865/- vide Memo No. DIB/DDK/7(3) 95-S/5319 dt. 31.1.95 i.e. Annexure A-27.
- 2) Shri S. Chakraborty Rs. 536/- vide Memo No. DIB/DDK/7(3) 95-S/5320 dt. 31.1.95 i.e. Annexure- A-28.
- Sri R.M. Majumdar, requested for extension of date of recovery vide his application dated 10.2.95, on enquiry by Sr. A.O. the Applicant, who assumed charge in February, 1995, further scrutinised the matter of cash shortages and the following orders for recovery of cash were ordered, in addition to above.
- 3) Sri I. Haque, Accountant Rs. 800/- vide memo dated 17.2.95 at Annexure- A -30.
- 4) Sri I. Haque, Accountant Rs. 1300/- vide Annexure A-31 & A-32.

At the growing tendency on the part of the Accountant to train Cashiers in making such lapses, with the pleasure excuses by the Director, Respondent No.3, to the defaulters, the Applicant requested to recommend the transfer of Accountant else, the Applicant will go to the investigation & judicial authority. The Respondent No.3, had no alternative, but to send a letter to higher authorities recommending transfer of Sri Haque, Accountant, to show that the Respondent No.3, was importial, The said letter is at Annexure A-33. The contents of the said Annexure A-33, justified his transfer and he is transferred to Doordarshan Maintenance Centra, Jorhat, at the distance of 3 hours bus journey from Dibrugarh. This might have helped to solve the problem of office to certain extent. But the Applicant is very much doubtful for the threatening of his life. The Cashier Shri S. Chakraborty, was issued memo for effecting cash recoveries from the concerned as still the cash shortage was experienced vide Memo dated 9.5.95 i.e. Annexure A-38, enclosing therewith a list of 9 persons from whom recovery was to be made. The list was prepared by the Respondent No.3 himself. It is not understood, when the Recovery Register indicated huge list of persons from whom the recovery was due, the Respondent No.3, included only 9 person's name.

(p) INDISCIPLINED BEHAVIOUR OF SOME STAFF WHOM MEMO WERE ISSUED BUT THEY DID NOT BOTHER TO REPLY :

(i) Annexure A-34 and Annexure A-35 are complaints by Cashier and his below Clerk assisting in disbursement on the Salary Day on 30.4.95. They were threatened by the said Shri T.N. Swargari, Helper, who was issued memo dated 4.4.95 as at Annexure A-36, but the said Shri Swargari did not bother to reply. It is learnt that he was safeguarded by the Respondent No.3 at the instance of same Association.

(q) UPDATING THE OFFICE WORK BY THE APPLICANT AFTER GETTING THE PENDING WORK CLEARED :

The Applicant is successful to get the pending work Cleared with the help of hard worker staff who were asked to work continuously so that there may not be any room for any complaint, which will be viewed seriously by the Applicant. Therefore the circular dated 5.4.95 as at Annexure A-37 was issued, with indication of the correct procedure with regard to over-time Allowance claims. Taur T.A. Claims, Medical Bills and Cash Receipts from Cashier. Thus the accounting matters in so far individual claims were concerned was planned to control. But such control has come in the way of mal practices, hence for such persons, it was not happy situation and therefore the Association viz. ARTEE turned towards issue of Towels and soaps instigating others to agitate vide Annexure A-1.

42

(r) TORTURING THE APPLICANT BY COMMITTING PETTY THEFTS :

The Applicant brought to the notice of Respondent No.3, that the wall clock in the Office Room of the Applicant is missing. The Respondent No.3 simply issued circular dated 9.5.95 endorsing a copy thereof to Officers, Notice Board & Security Guard as at Annexure-40, avoiding a proper enquiry and report to the Police.

(s) THE RESPONDENTS UNPLEASANT ACTION TO TAKE RS. 7,000/- (RUPEES SEVEN THOUSAND) ONLY- DIRECTLY FROM CASHIER WITHOUT INFORMING SR. ADMN. OFFICER THE APPLICANT :

Annexure A-41 is the Money Receipt of Respondent No.3, for having taken a huge sum of Rs. 7,000/- (Rupees Seven thousand) only for his proceeding to Guwahati with Office Vehicle. When the Applicant was present in the Office who was functioning as Drawings & Disbursing Officer, he should have informed the Applicant. The Respondent No.3, even did not bother to mark the said note to Sr. A.O., the Applicant. When problems of shortage of imprest money was faced by Office, this action on his part is not desirable, which has created a courage to do insubordination by the Subordinates to the Applicant. The bona-fides of this are not yet made known to the Applicant.

(t) THE DRIVER HAVING MORE ACCESS TO THE DIRECTOR
QUARRELED WITH SR. ADMN. OFFICER :

At Annexure A-42 & A-43, are the complaints against Shri Raj Banshi, Driver, as on the Salary Day of May, 1995 he did not pick up the Cashier & his Co-worker from Office to Bus Stand, neglecting their car requisitions in advance. When these complaints were brought to the notice of the Applicant, he gave remarks that ask the Driver to see him. He, being a close Driver to Director, every one has to think twice or thrice to take action against him. The said Driver is a young man having very good fat health. Accordingly Sri Raj Banshi saw the Applicant but argued that both the clerks should have waited till he returned to Office on that evening. Both of them are resident of Tinsukia who daily travel to & fro by bus. On Salary day they are delayed due to heavy disbursement. He did not agree to it. The matter was closed. Sri Raj Banshi, Driver might have reported this to the Director. As a revenge the Director appears to have played a trick in such a way that there would be occasion for quarrelling by him with Sr. A.O., the Applicant. For which reference is invited to Annexure A-45, Annexure A-46, Annexure A-47 and Annexure A-48 respectively, which narrates fact as follows :-

Despite the decision taken in the meeting convened by the Respondent No.3 and other Officers viz. Shri J.P. Jain, Station Engineer, Shri T.K. Gara, Assistant Station Director, Shri V.P. Bhalero, Sr. Administrative Officer, and Shri I. Haque Accountant a year ago or so, that the Cashiers Room on the Ground Floor be shifted to Administration Accounts Block on the First Floor, the implementation was delayed despite requests by the Sr. Admn. Officer, i.e. Applicant, whose Room is on First Floor, who functioned as Drawing and Disbursing Officer. The delay appears to be intentional by the Respondent No.3. Even though cases of shortage of cash were noticed and recovery from the concerned Cashiers effected. With a great difficulty the Respondent No.3 agreed to shift the Cashiers Room to First Floor. The said Committees decision was that the Cash Room will be shifted to First Floor in a room where Drivers coits are accomodated for taking rest and consequently the said Drivers Room will be shifted to ground Floor from where the Cashier room is shifted. The Respondent No.3 took his own discretion and passed the order No. MISC/DIB/95-S/1124 dated 2.6.95, instructing

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15

the Driver to vacate the Drivers rest room (i.e. on the First Floor of Office Block) and occupy the one room of Guest House at T.V. Coloney i.e. Doordarshan Staff, Quarters. The custodian of which is Shri Shambu Barush, Graphic Artist, who is residing in one of the Guest Room, cost free at the mercy of the Respondent No.3 in his ^{discreti} powers. The said order dated 2.6.95 enclosed as Annexure A-46 Action for shifting was initiated and completed within couple of days. On Monday the 5th June, 1995 the Driver of Respondent No.3, the said Shri Raj Banshi saw the Applicant at about 10.30 a.m. in Admn. Officer's Room opposite Cashiers Room, where the Applicant was awaiting arrival of Admn. Officer. Shri Raj Banshi was accompanied by two of the Drivers namely Shri Rahman and Shri Kayaut. Shri Raj Banshi posing in a leaders form before the Applicant speaking angrily and adversely against the action of shifting Drivers Room to Guest Room in T.V. Coloney in a room of Guest House as an insult to them. The Applicant asked him to keep quiet as he was going to show him the concerned file in which the Applicant proposed shifting of their Rest Room to GroundFloor and not in T.V. Coloney. It was the decision of the Respondent No.3, who even did not consider the note of the Applicant and the decision of the said Meeting. The applicant requested Shri I.Haque, Accountant to read the contents of the file and make the Driver Shri Raj Banshi understand it.

Shri Haque did So, As it was humiliation and insult of the Applicant by Shri Raj Banshi, Driver The Applicant went to the Respondent No.3 and requested him that an internal circular may kindly be issued that the staff members will visit to the Director only and not to Sr. A.O./A.O. (who are outsiders) for cause of their grievances etc. as such sorts of humiliation was faced by the Applicant many a time in the past. Accordingly, I.C.M. No. MISC/DIB/95-S/1160 dated 5.6.95 was circulated, which is at Annexure A-3. As Shri Raj Banshi, Driver contacted at night in the Quarter of the Applicant, transfer of Shri Raj Banshi, was proposed in terms of Deordarshan Kendra, Itanagar letter as at Annexure A-48, but the Director, the Respondent No.3, refused the proposal as at Annexure A-47. Therefore the Applicant is afraid that the Respondent No.3 might have planning to give trouble to the Applicant. On hearing about the proposal of transfer of Shri Raj Banshi, Driver, he came to the Respondent, folding handed and requested for forgiving him. He came to the Quarter of the Applicant and invited for refreshment and planned to invite the Applicant for meals. Thus he cooled down the situation. The said Driver also resides with his family in the staff Quarter. The Applicant had been first time in his Quarter for a tea. Though This is an improvement, it is doubtful, how long ~~long~~ will it exist under the Control of Director, the Respondent No.3, who appears to

instigate the people against the Applicant, through either individual employee or the leaders of Association. The following is the example of its kind.

**(u) TO CREATE ENEMIES CAPABLE TO ATTACK SR. A.O.
THE APPLICANT**

The Applicant feels that the Respondent No.3, is creating enemies for the Applicant by creating atmosphere as such, and defaming the Applicant. The case of the Driver, as explained in the foregoing paragraph is a case of Similar nature. Another such case can be seen from Annexure A-49(I) to A-49 (iv). In which the Respondent No.3, got the fake 1st Class rail journey case, examined through the Dibrugarh Railway Authority, by-passing the Applicant. When the fraud was proved on 4.5.95, with the Remarks of Railway authority an Annexure A-49I i.e. on letter No. DDK/DIB/I(ii)95-96/585 dated 3.5.95. The remarks was that on 16.12.94, by 5908 D.N. Reservation (1st Class) was not found. The old Reservation Registers have been thoroughly checked up. The said Shri G.R. Deka is working in the Doordarshan Kendra, Dibrugarh. He is quarrelsome person, as it would be seen from the O.A. No.113 of 1995 in this Hon'ble Tribunal. He doesn't bother about the orders of the Group A in charge of Engineering wing, the Station Engineer, as it would be seen

from the Memo No. DIE/DDK/I(11)Tour/93-94/3914 dated 1.11.93 at Annexure A-49-I, issued to him for his disobedience. The said Shri Deka resides in Staff Qtr. No.C-14 on the First Floor and the Applicant resides in Staff Quarter No.C-18 on the Second Floor, of the Same building. The Applicant has to pass through the consider, in front of his Quarter while going to and fro. Thus, the Respondent No.3, would tell said Shri Deka that Sr. A.O. the Applicant, has initiated action against him regarding his T.A. Claim and Serious action is taken against him. With this Shri Deka would become angry and he is capable to manhandal the Applicant. This appears to be the reason behind it. If 1st Class ticket No. are not mentioned in the T.A. Bill, the Authority can restrict the 1st Class Claim to 2nd Class Rail Fare. As intention of Shri Deka to claim 1st Class rail fare is proved it amounts to fraud and disciplinary action is must. Having cognizance to this case, when the Applicant asked the Clerk concerned, as to whether, there are doubtful cases of this kind? Shri Dey, T.A. Bill Clerk, said 'Sir, if you go in for enquiry, you would get almost 90 percent Cases of False L.T.O. Claims of First Class and Second Class rail journey at the longest distance like Kanyakumari etc. etc. in which Gazetted Officers cases would also be found'.

U9

The Applicant therefore requests the Hon'ble Tribunal kindly to issue orders for enquiring this which involved lakhs of rupees per year. This is also the reason that Majority of Employees is with the Director, the Respondent No.3, therefore, as per the direction of the Director, the Respondent No.3 the Service Associations and employees are going against the Applicant for his no fault. They are threatening the Applicant taking petty points like issue of towels and soaps, They are threatening the Applicant individually as well as collectively under the banner of Associations. The Annexure- Al, A-2 and Annexure A-19 are the examples of this.

(v) TORTURING TO APPLICANT THROUGH THE STRONG SERVICE ASSOCIATION VIZ. ASSOCIATION OF RADIO & TELEVISION ENGINEERING EMPLOYEES :

The Applicant got the problems solved regarding employees claims of D.T.A., T.A. medical charges etc. There was no ground to raise any objection against the Applicant. But as the Applicant was made the target to torture for petty reasons of issue of towels and soaps was gaigned by the Respondent No.4 i.e. Shri P.C. Datta, Unit Secretary of Association of Radio & Television Engineering Employees, who instigated other categories of Staff stating that their demand provides welfare not only for Engineering crew but also the employees of other Sections, hence all of them should raise hands in protest through a common plateform, vide

50

the circular dated 30.5.95 as at Annexure A-I. Despite the fact that order for towels was placed on the N.T.C.'s. shop in Dibrugarh, who would supply it after getting stock from their Calcutta Mills, which was brought to their notice in writing, Shri P.C. Datta, Respondent No.4 instigated the staff to form common platform for the sake of petty matters to torture the Applicant, in whose jurisdiction the disposal falls. This act of Respondent No.4, as evident from the Annexure A-I, amounts to misconduct inciting others ^{to be} riotously in violation of Rule 3 of C.C.S. (Conduct) Rules, 1964. Every Service Association is abide to C.C.S.C. conduct rules, 1964 as re-emphasised at point No. 6(k) in the C.C.S. (RSA) Rules, 1993 which is at Annexure A-50, the relevant clause is read as '(k) the service Association shall not do any act or assist in the doing of any act which, if done by a Government servant, would contravene any of the provisions of the Central Civil Services (Conduct) Rules, 1964. Subsequently within a week or ^{so} on receipt of the stock the employees were issued towels. Even, after satisfying this demand, the said Respondent No.4, with intention to create problems for the Applicant, entered in the office Room alongwith his co-worker Shri A.K. Pathak, Sr. Engineering Assistant, on 12.6.95, violating the instructions in the I.C.M. ^{dt.} 5.6.95, as at Annexure A-3.

The Respondent No.4, trespassed in the Applicant's Office room, saying that the Director, Respondent No.3 asked him to see the Sr. A.O., the Applicant to discuss some points. To keep harmony, the Applicant made them sit and allowed them to discuss the points they derised. The Applicant stopped the discussion when the said Mr. P.C. Datta, Respondent No.4 amgreely raised voice criticizing the quality of the towells issued by the Office, which are not found suitable to prestige of employees according to him. The Respondent No.4 raised false allegations against the Applicant in the letter dated 15.6.95 as at Annexure A-2, stating false allegations that Sr. A.O., the Applicant made venomous and provocative comments against the Director (i.e. Shri M.C. Rajkhowa the Respondent No.3) and the Head Clerk (i.e. Shri P.C. Chetia, Respondent No.9) and the Head Clerk (defaming Engineering Staff and the (said) Director as inefficient and threatened of transferring Mr. Chetia, Head Clerk in the line of Mr. Haque, (formerly Accountant transferred to Doordarshan Maintenance Centre, Jorhat). He Charged of omission of these in the said note dated 13.6.95, as at Annexure-A-4. As a matter of fact, no such comments were made by the Applicant and question of discussing such critising points by the Applicant did not arise. The Applicant is the experienced Sr. Officer, who can not comit such mistake. It is the fact that because Shri P.C. Dutta, Respondent No.4, told that he was directed

by Director, Respondent No.3, to discuss some points with the Applicant, he allowed them making them sit to discuss, as a mark of honour and respect to the Director, under whose directions the Respondent No.4 had come to see the Applicant.

As the Respondent No.4, has intentionally written the false fabricated things against the Applicant, which gives room to doubt that, the Respondent No.4 has joined hands with the Director, the Respondent No.3 to torture the Applicant and therefore the Respondent No.4 has proposed withdrawal of the said note of the Applicant, and he should be reprimanded with punishment of degradation for which they adopt agitational Path from Monday, the 19.6.95. Copies of the said letter dated 15.6.95 at Annexure A-2, are forwarded to the Secretary, Ministry of Information and Broadcasting, New Delhi, the Director General, Doordarshan, New Delhi, the Chief Engineer, E/Z. Doordarshan, Calcutta, the Dy. Director, Administration, New Delhi and the various organisation of the said Association of Radio and Television Engineering Employees at New Delhi, Calcutta and the Unit Secretary of the Akashbani & Doordarshan Administrative Staff Association, Doordarshan Kendra, Dibrugarh and the various Gazetted Officers in Doordarshan Kendra, Dibrugarh. The intention of the Respondent No.4 is obviously clear that to defame and harras the Applicant such tricks are

played by him, by fabricating allegation against the Applicant, with the mutual plans by the Respondent No.3, who has refused to take action for providing police protection to the Applicant and to lodge complaint against the said Association at the instance of the notice of agitation against the Applicant vide their letter dated 15.6.95 as at Annexure A-2. Therefore the Applicant requested the Director, the Respondent No.3, to grant him casual leave to enable him to file an Application in the Hon'ble Central Administrative Tribunal, Guwahati vide his Application dated 17.6.95, as at Annexure A-5. In fact the Respondent No.3, was justifiably required to institute an inquiry in the matter, as he denied sending the Respondent No.4 to Applicants room on 12.6.95, which was in violation of the circular dated 5.6.95, at Annexure A-3. The issue of this I.C.M. was based on the prevailing circumstances and also on the rationale that Head of Office is the "Grievance Officer" to solve the problems of employees which principles appear to have been projected in the C.C.S. (Recognition of Service Associations) Rules, 1993 at Para 6 (d) stating, inter-alia that all representations by the Service Association shall be submitted through the Head of Office, which can be seen from Annexure-A-50. The Respondent No.4 has violated the said C.C.S. (R.S.A.) Rules, 1963, which are at para 6 (a)(b)(d)(k) and (i) at Annexure A-50, while issuing letters as at

Annexure A-1 and A-2. The same faults have been committed by the Administrative Staff Association as is evident from their letter No. Nil dated 3.1.94 at Annexure A-19.

(w) DIRECTORS UNAUTHORISED ATTITUDES TO DEPRIVE THE APPLICANT FROM HIS FUNCTIONAL PORTFOLIO

The Duties of Director are as per para No. 4-2-1 and 4-2-2- of Doordarshan Manual, Copy of which is enclosed at Annexure A-51 from which it is seen that the Director is empowered with financial and administrative powers, but it doesn't empower him to adopt functions of other Officers. The functions of Sr. Administrative Officers. (The Dy. Director Administration) and Administrative Officer are stated in the Doordarshan Manual at paras 4-2-49 and 4-2-50 as at Annexure A-54. from which it will be seen that the Drawing and Disbursing function including Transport Section etc. is under the charge of Sr. A.O/A.O. These functions are not placed under Director as it would be seen from Annexure A-51. The Director i.e. Respondent No.3 violated these instructions and kept the Transport Section and drawing and Disbursing of cash function directly or indirectly under him. Even in presence of Sr. A.O., Cases of encashing Demand Drafts by himself can not be denied. This gives room for doubt for financial mal-practices. On observing these sorts of tendencies

the Doordarshan Directorate issued instructions that the duties falling under Administrative nature are being performed either by Engineering or Programme Cadre. This is not justified the duties of administrative nature should invasibly be allocated to DDA and or Sr. A.O./A.O. if in position as envisaged in Manual' vide O.M.No.22/74/94-S.II dated 19.9.94, as at Annexure A-52. Thus the Respondent No. 3 has misused his powers and position to perform said functions of Sr. A.O/A.O. which lead to devaluation and insubordination by Sub-ordinate to the Applicant.

(x) AVOIDING WILLFULLY THE AUTHORISATION OF ADMINISTRATIVE AND FINANCIAL POWERS TO APPLICANT :/

As envisaged in para (c) in para 4.2.2 of Doordarshan Manual as enclosed here at Annexure A-51, The Director is required to delegate (authorise) sufficient powers to incharge of other wings so that they can function with ease. The Respondent No.3, did not authorise any such power to the Applicant as yet. Had he done so, it could have helped the Applicant to avoid insub-ordination by his sub-ordinates, who could not have clased to threaten or quarrelled with the Applicant.

5

(y) AVOIDING WILLFULLY TO TAKE ACTION FOR LIFE PROTECTION OF THE APPLICANT & ACTION AGAINST THE OFFICIALS TROUBLING APPLICANT :

1. The Respondent No. 3 appears to avoid disciplinary action against Officials troubling the Applicant and he also avoided actions to lodge F.I.R.s in the police Station whenever the Applicant was threatened few examples are mentioned in the foregoing paragraph e.g.:-

- (a) Para 4 (h) I- on page No.13, which relates to Annexure A-18(i) i.e. threatening against cash recovery from the defaulters including himself by Shri I. Haque, Accountant.
- (b) Para 4 (h) II- on Page 16 i.e. threatening of missing the N.T.C. wollen purchase Bill by Shri Nath, C.G.I. Ex- Stationery Clerk.
- (c) Para 4 (h) 2 - on Page 18, the false allegations etc. against the Applicant by the Administrative Staff, Association under the signature of Shri P.C. Chetia, president and Shri Nath, Secretary, i.e. Annexure A-19.
- (d) Para 4 (j) on Page 21 pertaining to Annexure A-17 an application by Shri I. Haque, Acctt. who tried to escape by writing that he did not and will not threaten the Applicant of his life.
- (e) Page 4 (k) on Page- 22 i.e. Annexure A-20(II) regarding the threatening by Shri P.C. Barua, C.G.I., Transport Assistant, Life threatening case.

(f) Para (l) on Page 23, action against defaulter was avoided on Annexure - A-23.

(g) Para 4 (m) page No.24, Applicant's life threatening case on telephone, as at Annexure A-24.

(h) Para 4 (n), Page No.27. On instgation etc. by Shri P.C. Datta, Secretary, ARTEE, encashing Salary Cheque on 31st March, 1995, by the Director.

(i) Para 4 (o) on Page No.30, Cash recoveries from Accountant and Cashiers as at Annexures A-27, A-28, A-30, A-31 & A-32 was ordered avoiding disciplinary ~~only~~ action.

(j) Para 4 (t) on Page 34, avoiding action against the Director's Driver who quarrelled with the Applicant.

(k) Para 4 (v) from Page No. 40 to 45 i.e. the torturing by Respondent No.4 to the Applicant for which the Respondent No.3 was reluctant to take action to provide ^{police} protection to the Applicant and make report to the Police about the notice of the agitation by the said Association viz. ARTEE against the Applicant from 19.6.95, which has forced the Applicant to submit this Application to the Hon'ble C.A.T.

2. It is obvious that the Director, being Head of Office is responsible to ensure life Security of the Applicant as well. While emphasizing security points in the 4th paragraph of D.G. Doordarshan Circular dated 1.5.95, as at Annexure A-55, it has been inter-alia stated therein that "..... through this Circular all the Heads of Offices directed to be extremely vigilant and careful about the Security norms. Laxity on the part of any one should be viewed seriously and action should be taken in accordance with the rules such lapses will be viewed as laps on the part of the Head of Office and Other Senior Officers".

The Applicant is worried about his life as threatened by the Staff members indulged in financial lapses etc. The Director, being Head of eminent Government organisation like Doordarshan is having close contacts with almost each and every Govt and non-Government organisation including police authority. The Respondent No. 3 has misused his position to prohibit the Thana-in-charge of Chawki Dingki Police Chowki, to take entry of an F.I.R., which the Applicant wanted to lodge, which will be seen from the Annexure-A-24. Thus the Respondent No.3 made the Applicant helpless on the level of Police chowki and made helpless in office through the employees and Association of employees.

3. When the Applicant was on leave for 7 months in Pune, he came across the literature piece published in the Marathi Daily News Paper 'Sakal' of Tuesday dated 15th November, 1994 as at Annexure A-56, followed

by the English Translation thereof, under the title 'Police Protection - When and Why?', in which the case Reference - 'LLJ- October, 1994 has been briefed as, the Hon'ble High Court Kerala, Bench directed to the Police authority to provide Police protection to the officers and the property of the Kerala Spinners Ltd. Co., Kamalapuram after considering the facts that the workers gheraoed the Chief Officer and damaged the property of the said Company etc. This has given certain courage to the Applicant that he can knock the door of the Hon'ble C.A.T., in case such situation takes place. Hence the Applicant came back to join duty after 7 months in the month of February, 95.

4. The Director, Respondent No.3 is an Assamese person. About 95% of the staff is from Assam (including the whole N.E. Region). It would be observed from the dailies of this N.E. Region that the employees including top level officers are involved in the Scandals of Misappropriation of money for which they are capable to manipulate, violate and deviate the financial rules and procedure, without bothering of the consequences of C.B.I. investigations, defamation and imprisonment etc. If there is a sincere Officer or Official to go against these attitudes, the culprits are capable to humiliate, manhandle and even to kidnap or kill such person, by instigation employees or even to the unsocial elements having strong hold ^{as} _{world} of criminals. The documentary evidences submitted herewith by the Applicant proves the tactics

of the Respondents No. 3 to 11, who have threatened the Applicant directly or indirectly. Under these circumstances the Applicant can not function unless he feels that his life Security is ensured and humiliation is avoided.

5. The Director, Respondent No.3, is capable to create fabricated problems for the Applicant through the Association 'ARTEE', as it would be seen from Annexure A-2, in which the ssid Respondent No.4 has raised false ground against the Applicant for having spoken the Venomous and provocative comments against the Head Clerk and the Director as an in efficient. The said Respondent No.4 has given notice of agitation against the Applicant from 19.6.95 due to which the Applicant has proceeded as leave to file an application to the Hon'ble C.A.T. The said Respondent No.4 has demanded Applicant's degradation etc. The Applicant is afraid of manhandling and his life as there will be no body to stand as witness even if the ~~Applicant~~ Applicant is killed. The Applicant is from Maharashtra, who is all alone in that Office from the State of Maharashtra. As about 85% of the employees are involved in getting the wrongful gain by way of submitting false leave, Travel Concession claims, they are having fear about the Applicant that he may probe the matter through the C.B.I. and they will suffer the consequences as the charges will be proved through the Railway Record. The Respondent No.3, the Director, is also having the Similar fear in addition to his

other sorts of financial malpractices, which will be proved in the light of the investigation of the C.B.I. authority. This is why they are torturing the Applicant. Therefore the Director, Respondent No.3 has systematically, joined hands with Associations to such extent that are ^{examples} of the Association plan to hold meeting in the Residence in the staff Quarter as it would be seen from Annexure-A-53. As the 85% majority of the Staff in Doordarshan Kendra, is involved in the financial malpractices, the Applicant being the anti-malpractive person, is an enemy of them, due to which the Applicant is having fear of his life. Therefore the Applicant prays the Hon'ble C.A.T. to give police protection to him.

(z) CONCLUSIONS :

The said Director the Respondent No. 3 and Respondent No.4 and other Respondents from No.4 to 11 have jointly tortured to the Applicant threatening of his life etc. for the sake of Monetary malpractices, who may kill the Applicant as he is anti-malpractice person, due to whose legal action the 85% majority of staff will have to undergo the seveare consequences, if investigation is made. The Respondent No.3 is a main and major beneficiary, who will have to undergo the major penalties hence he is humiliating and managing to threate the Applicant on the ^{ro} guard of aforesaid matters and also that the Applicant is Maharashtrian who doesn't bother to look into employees

Welfare. Why should he speak against L.T.C. Claims, when he is not paying from his own pocket. Thus he is, instigating the Sentiments of the employees.

5. GROUNDS OF RELIEF WITH LEGAL PROVISIONS :

A) The Applicant prays the Hon'ble Tribunal, (C.A.T.) for the Police protection under the powers of the Hon'ble C.A.T. under Article 226 of the Indian Constitution, on the analogy of the Reference Case No. LLJ of October, 1994, cited at Annexure- A-56, as the agitation against the Applicant is threatened by Respondent No.4, the said Shri P.C. Datta, Unit Secretary, Association of Radio & Television Engineering Employees, Doordarshan Kendra, Dibrugarh, as at Annexure A-2, instigating all the Associations of Staff as at Annexure A-1, and the Respondent No.3, the Director, appears to have joined hands with them who has intentionally avoided to take action to inform the Police authority etc. as required under the Rule 7 of C.C.S. (Conduct) Rules, 1964- Para (iii) of G.I.D.(3) thereunder, considering the previous instances of threatening to the Applicant. By the instance of submission of this Application, Police protection to the Applicant has become necessary for which the applicant prays for the Police Protection at the Government cost.

B) The Applicants request, ~~the~~ the Respondent No.3 to initiate action against Respondent No.4, for violation of Rule 7 of CCS (Conduct) Rules, 1964 in which it is laid down as -

" No Government servant shall -

i) ~~Mr~~ engage himself or participate in any demonstration which is prejudicial to the interest of the Sovereignty and integrity of India public order decency or morality defamation or incitement to an offence or

ii) resort to or in any way abet any form of strike or coercion or physical duress in connection with any matter pertaining to his service or the service of any other Government Servant ". It is also prayed that as a preventive measure, the Respondent No.3, be directed to lodge an F.I.R. with the police authority etc. as stated in para (A) above.

c) The Respondent No.3 and other Respondents from No.5 ~~and thereafter~~ to 11 have committed financial malpractices etc. and some of them have threatened the Applicant violating relevant Rules as explained in the paragraph 4 above.

6.

DETAILS OF REMEDIES EXHAUSTED :

The Applicant declares that he has availed of all the remedies available to him under the relevant service Rules, etc. i.e. in the present case as at Annexure A-2, the applicant had proceeded on leave from 17.6.95 with a fear from the agitiation by Respondent No.4, commencing from 19.6.95, after he approaching the Director, Respondent No.3

to request him to seek police protection for the Applicant and initiate action for violation of Rule 7 of C.C.S. (Conduct) Rules, 1964, as per G.I.D.(3) para (iii) there-under, on observing that the Respondent No.3 was reluctant to do so, the Applicant submitted an Application dated 17.6.95 (Saturday) as at Annexure-A-5, inter-alia informing that the applicant is going to file an application in the Hon'ble ~~Mark~~ C.A.T. for which he proceeded on leave considering the past threatening cases and fearing about manhandling and threatened of life in the agitation starting from 19.6.95, for no fault of Applicant.

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

The Applicant further declares that he 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 SOUGHT :

The Applicant prays the Hon'ble Tribunal for the Relief as under :-

I) Applicants be granted police protection as requested at para 5 (A) above. at Government cost.

II) Inquiries and disciplinary actions against the

defaulters by Respondent No. 3 and such actions against Respondent No. 3 by Respondent No. 2 through C.B.I.

III) The Respondent No. 3 to bear the cost of this application, with instructions to grant advances to Applicant for this purpose as per Rules concerned.

IV) The Respondent No. 2, the Director General, Doordarshan, not to transfer the Applicant on the basis of false complaints etc.

(v) The Respondent No. 2, to transfer the Applicant to Doordarshan Relay Centre, Pune, alongwith the post, where administrative and accounting function is performed in relation to the said Centre under the charge of the Station Engineer.

VI) Respondent No. 3, to authorise Administrative & Financial powers to the Applicant Sr. A.O. and the A.O., without taking over their charge.

VII) Respondent No. 2 to transfer Respondent No. 3, to facilitate investigation to avoid possible tampering or loss of official record etc.

9. INTERIM ORDER, IF ANY PRAYED FOR :

Pending final decision on the application the Applicant seeks the following interim relief:-

- i) Police Protection ^{for} the applicant.
- ii) Transfer of Respondent No. 3.

-57-
: 56 :

- iii) Disciplinary action against Respondent No.4.
- iv) Transfer of the Applicant to T.V. Relay Catre, Pune alongwith the post in public interest, or in Bombay.
- v) In case of delay for IV above, the Respondent No.3, to authorise powers to the Applicant as per Rules.

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

The applicant desires to have oral hearing at the admission stage, in person for which the Applicant requests immediate hearing in view of the notice of agitation against the Applicant.

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

I.P.O. No. 09326322 dated 15.7.1995 for Rs. 50/-
(Rupees fifty only) enclosed .

12. LIST OF ENCLOSURES :

As per Appendix - A the index of the enclosures.

V E R I F I C A T I O N

I, Shri Vasant Bhalerao, S/o. Sri Pitambar Bhalerao, aged about 48 years, working as Senior Administrative Officer, in the Office of the Director, Doordarshan Kendra, Dibrugarh resident of Room No.2, Bankar Colony, near Patil Work Shop, Hadapsar Pune- 411 028, do hereby verify that the ~~g~~ Contents of paras 1 to 12 are true to my personal knowledge and Para.....~~5~~ to ~~12~~..... believed to be true on legal base advice and that I have not suppressed any material facts.

Dated : 20/7/1995

Place : Guwahati


SIGNATURE OF THE APPLICANT

To

The Registrar,
Hon'ble Central Administrative Tribunal,
Gauhati Bench, Guwahati.

F O R M - II
[See Rule 4(4)]

R E C E I P T - S L I P

Receipt of application filed in the Central Administrative Tribunal, Gauhati Bench by Shri Vasant Bhalerao, S/o. Pitambar Bhalerao, working as Senior Administrative Officer in Doordarshan Kendra, Dibrugarh residing at Qtr. No. C-18, Doordarshan Staff Qtrs. Dibrugarh is hereby acknowledged.

Date :

S E A L

For Registrar,
Central Administrative Tribunal,
Gauhati Bench, Guwahati.

ANNEXURE-A-1

ASSOCIATION OF RADIO & TELEVISION ENGINEERING
EMPLOYEES
DDK, DIBRUGARH

59

C I R C U L A R.

Dated, Dibrugarh,
the 30th May '95.

It has been observed that the authority is quite unconcerned about staff welfare, as for example our long pending demand of providing essential commodities viz. towels, soaps is unattended. We are being deceived on different pretents as unavailability, delayance ~~as~~ in transport etc. We are worried about all these Red tapism. We anticipate all other sections are also suffering from the same negligent attitude. Our demand provides welfare not only for Engineering crew rather than other sections also. Hence, it is time for all to raise hands in protest.

All the concerned associations are requested to raise their own demand and to fight with authority through a common platform.

Long live Employees Unity.

Yours faithfully,

(P.C. DUTTA)
Unit Secretary,
Association of Radio & Television
Engineering Employees
DDK, Dibrugarh

Copu Atto:-

- 1) Unit Secretary, PSA DDK, Dibrugarh for information and necessary action.
- 2) Unit Secretary, ADASA, DDK, Dibrugarh for information and necessary action.
- 3) Unit Secretary, Security Guard/Driver Section of DDK, Dibrugarh for information and necessary action.
- 4) Unit Secretary, Gr-C Association, DDK, Dibrugarh for information and necessary action.
- 5) Office file.

RECORDED

Attested

Sur 15/5/95
Medical & Health Officer
Dr. Agarwal S.H.O.

ANNEXURE-A-2

Ph. No. 0373/21630 - II

0373/22432

69

60

Association of Radio & Television Engineering Employees
Doordarshan Kendra, Dibrugarh Unit.
P. O. C. R. Building, Milan Nagar
Dibrugarh - 3

Ref No. DDK/DIB/ARTEE/95- 21.

Date 15. 6. 95

To,
The Director,
Doordarshan Kendra,
Dibrugarh.

Sub :- Protest against defamatory Note by Sr. A.O.

Sir,

The under signed has received a Note from Sr. A.O. vide letter No. DDK/DIB/MISC/95-S/1248 dt. 13th June, 1995. The contents of the Note are humiliatory fictions and aimed at creating chaotic situation at the station. We strongly protest against the contents and the way it was circulated we put forward the following points in this regard :-

1. Notes are not circulated like this. As an administrative officer he should have understood such trifles. Notes are moved in file or sent to the higher authority. Copies of Notes are not circulated like this.
2. As per his quotation Mr. P.C. Dutta and Mr. A.K. Pathak's visit to him through the direction from Mr. M.C. Rajkhowa, Director is a white lie and baseless. Does the Sr. A.O. possess evidence of this comment. Actually we visited Mr. Bhale Rao's room cordially and non formally to discuss about the implementation of Pay revision verdict. He being our Administrative Officer, we think, we have every right to express our appeals before him. It was his strategy to summon the subordinate clerks to get rid of the querries and to cover up his ignorance.
3. He circulated minutes of the discussion but concealed his own comments. He made venomous and provocative comments against the Director, the Head Clerk and other Clerks. His motivation was to defame the Engineering Staffs. He mentioned the Director as inefficient, he threatens the Head Clerk Mr. Chetia of transfer in the line of Mr. Haque. All these comments are omitted from the minutes. He expressed his readiness to entertain written complaints but feared face to face discussion due to weakness and loopholes in the administration. On the contrary he asked for police protection while facing his colleagues and staffs in a cordial atmosphere. Henceforth none is allowed to ask him anything physically. Does a good officer needs police security while dealing with his staffs in ~~maximum~~ cordiality. He mentioned previous instances of threatening. Does he posses such evidence in black and white ? His intention through citation of such unhealthy chaotic fiction is vehemently denounced.

Affected

Contd...2.

Sur
General Secretary
A. O. G. M. P. H. C.

page-- 2

That sir, we demand such imaginative and fictitious note defaming and humiliating the Engineering Staffs must be immediately withdrawn. The officer concerned should be reprimanded and punished through degradation for polluting the official atmosphere and creating chaos at the office.

We shall adopt agitational path from 19/6/95 monday's if this monstrous note is not withdrawn.

Thanking you

Yours faithfully,

P.C.DUTTA 19/6/95
(P.C.DUTTA)

Unit Secretary,
Association of Radio & Television
Engineering Employees
Doordarshan Kendra, Dibrugarh.
PIN - 786003

Copy to :

1. Secretary, Ministry of I & B, New Delhi for information and necessary action.
2. Director General, Doordarshan, New Delhi for information and necessary action.
3. Chief Engineer(E/Z), Doordarshan, Calcutta for information and necessary action.
4. Deputy Director of Administrative, New Delhi for information and necessary action.
5. General Secretary, ARTE, New Delhi, for information and necessary action.
6. Vice President(E/Z) ARTE, Calcutta, for information and necessary action.
7. Unit Secretary of ADASA/PSA/DDK, Dibrugarh for information and necessary action.
8. Sr. Administrative Officer, DDK, Dib for information.
9. ~~Mr. A.O.~~ A.O., DDK, Dibrugarh for information.
10. Station Engineer, DDK, Dibrugarh for information.
11. Office file.

* * * * *

Attested
July 19/95
S. C. & N. D. Chakraborty
Ma. Asomani P.I.

ANNEXURE-A3

62

GOVERNMENT OF INDIA
DODDARSHAN KENIYARAS : DIBRUASSAR

MDRIS/013/95-S/ 1160

Dated, Dibrugarh
the 5th June 1995.

I. e. B. B.

All the staff members including leaders of the Staff Associations are informed that they should contact only Director for their cause of grievances if any, on issue of any office communication etc. avoiding contacting subordinate officers like Sr.A.O./A.D. etc. So that harmonious and healthy working atmosphere may be ensured in the office.

(M.C. RAJKHOWA)
DIRECTOR

Copy for circulation to:-

1. Drivers section including Security Guards.
2. Engineering Section.
3. Programme Section.
4. Programme Administrative & Administrative Accounts Section.
5. Sr.A.O./A.D.
6. Head Clerk/Accountant.
7. Group "D" Staff.

Attested
July 1995
Education & Health Officer
Dr. Asomani P. H. C.

ANNEXURE-A-4

GOVERNMENT OF INDIA
DOORDARSHAN KENORAS: DIBRUGARH

63

NO: DOK/DIB/MISC./95-S/ 1245/F. P/48

Dated, Dibrugarh
the 13th June '95.

M O T E

On 12th June '95, in the forenoon S/Shri P.C. Dutta, Sr.E.A. & A.K. Pathak, Sr.E.A. came in the room of Sr.A.O. informing that, they are directed by Shri M.C. Rajkhowa, Director to contact Sr.A.O. for their grievances. The following points were discussed and decision of Shri V.P. Bhaderao, Sr. A.O. was informed them in the discussion.

1. The work of pay fixation consequent on revision of the E.A. scales Rs.550/- 900/- and 200/- 3200/- from 1-1-78 and from 1-1-1986 respectively will be started soon from 13-06-95.
2. They told that DTA payments from September, 1994 is pending. Sr.A.O. called Shri P.N. Saikia, UDC, who informed that DTA bills are pending with the P.A.O. and not in this office. Shri M. Konwar, UDC was also called with the expenditure statement for March '95, from which it is observed that during 1994-95, DTA payment of Rs.3,28,700/- was made. The new A.O. Shri Memon is competent Officer to look into this matter henceforth.
3. Shri Dutta told how the Drivers are paid D.T.A. upto ^{out} February '95 and perhaps upto March '95, and ~~other~~ cases are pending from August '94 or September '94. Drivers are paid other claims immediately such as T.A., Medical etc., Sr.A.O. told them, now this is the port folio of A.O. Shri Memon. He pointed out that it may be like that but Sr.A.O. is overall incharge of Admin. & Finance also as per Manual. Hence you should give us details. Sr. A.O. said nothing but 'all right, let us go into the details'.
4. *T. J. Akhona*
Shri Dutta expressed very sorry state of affair for the laps that credit of E.L. and H.P.L. is not indicated while issuing leave memo despite his suggestion a month ago. Sr.A.O. called Shri Maheswar Bora, LDC who showed one of the examples that such E.L. & H.P.L. credit is mentioned in the leave memo. Km. Sultana, UDC is also called who showed two examples of such nature in respect of Engg/Technical staff.
5. They expressed grievances for the quality of towels issued to all the Group-C staff. Sr.A.O. told that N.T.C. is the government approved organisation from whom purchase is made without obtaining quotations. In future they may select sample for this purpose, so that, formality of inviting quotations may be followed. Shri Dutta expressed doubt about purchase of towels from NTC shop. Sr.A.O. pressed the call bell for a peon to call the stationary clerk Shri P.J. Bora to prove the fact but, he told Sr.A.O. not to call Shri Bora as it might be the fact that the purchase was made from NTC shop.

Aftered

July 23/1995
S. C. D.

(Contd. to Page 2...)

3.

When Mr. Dutta cited an example of Dibrugarh Radio Station, and little angrily started saying that Office should have sense of justice to purchase towels suitable to our prestige. As this was disputing insulting and quarrelling point, Sr.A.O. stopped discussion asking them to please forget the past and let us think about the future, as already discussed. Then both of them went happily saying Sr.A.O. 'THANK YOU'.

Sd/-

(V.P. BHALERAO)
SENIOR ADMINISTRATIVE OFFICER

Copy To :-

1. The Station Director, with a request not to direct any office staff/Associations designatory to Sr.A.O. in terms of I.C.M. No.MISC/DIB/95-S/1160 dt.5th June'95. They should see the officially declared 'Grievance Officer' by D.G. i.e., the Head of Office, procedurally. They should give points in writing only in terms of C.C.S. conduct Rule 3 sub para(21) and para No.25 of Manual of Office Procedure, failing which the undersigned requests the S.D. to provide police protection based on previous unhealthy, threatening cases by Staff members to Sr.A.O.
2. ✓ Shri M.S. Ramon, Administrative Officer, DDK, Dibrugarh.
3. Shri P.N. Seikia, UDC, Smt Nibedita Mishra Chakrabarty, UDC and Shri Gautam Bora, LDC may please submit the month wise details of OTA, TA and Medical claims respectively during the year 1994-95 within 3 days to Sr.A.O. Positively, in respect of Drivers only.
4. Shri P.C. Dutta, Sr.E.A. & Secretary ARTEC unit DDK, Dibrugarh with a request to avoid visiting Sr.A.O. as per I.C.M. No.MISC/DIB/95-S/1160 dt.5-6-95 and extend cooperation by giving the points of grievances in writing to S.O. Who will send it to Sr.A.O/A.O. for necessary action and you will be informed about the action taken, facts etc, in writing within a short period. You may kindly bring this to the notice of Shri A.K. Pathak, Sr.E.A. also.
5. Smt. T.S. Buragohain, UDC, Shri Maheswar Bora, LDC with instructions to start Pay fixation work in respect of E.A. from 13-6-95.

Mr. Balerao B6
SENIOR ADMINISTRATIVE OFFICER

Attested

Scd/ 16/7/95
Medical & Health Officer
Dr. Acomani P.H.C.

65

Subject:- Filing an application
in the Hon'ble ^{At} Tribunal
for writ of habeas corpus against the
the letter No DSK/DIB
ARTEE/95-21 dt 15.6.95

Sir,

I am going to seek redressal
in the Hon'ble Central Admin. Probe
Tribunal, Gurakhati as the ARTEE
members Association is protecting
against me for no fault of mine.
They have mentioned false
statement regarding comments
about Director & Sh. Chettri by
me. Without investigating the
matter you were agree with
me when I suggested for police
protection. They have given notice
of agitation from 19.6.95 and you
are unwilling to take preventive
measures of law and order
authority as specified by the Rules.
You have gracfully asked me
to sit in your room

and you

yourself will provide me a
protection. Thanks & when
few months ago or in, ARTEE
agitated against Sati an

2

Attest

WDP 19/7/95
Central Admin. Probe
Com. General DSC

66

Engin, you were smilingly ^{ANXIOUS} enjoying the
agitational movement of AITEE
against the Jain S.E. without loss
for more than a week or so. This
is the sort of your protection.

In such cases action as prescribed
in CCS Conduct Rule 7(3)(11) is
required to be taken but your
discretion will not allow you to do
so. Hence I am going in the CAT
to kindly give me permission to issue
Direction for Tawarhali.

The keys of the Cash Box
are handed over to the Admin
Officer with a request to do the
needful.

Thank you.

W.A.
Do
D.M.

Yours faithfully,

M. L. G.

1/2. G.S.-
G. P. R. M.

Sub-Commissioner Officer

1/2. G.S.-

D.B.O. (P.M.)

Attested

Aug 19 1955
Health Officer
G. Agomani P.E.C.

books ~~are~~ by the DDO of HPT, on behalf of the VLPTs may Please be intimated to D. Audit

(c) (i) Cash Book for VLPT Namsoi maintained upto 9.2.89

with a closing balance of Rs. 366.85

(ii) ~~VLPT~~ Changling maintained upto 31.7.89

with a closing balance of Rs. 435.85

(iii) ~~VLPT~~ inkensa maintained upto 31.6.89

with a closing balance of Rs. 500/-

The closing balances were not physically verified by the DDO as per provisions of Rule 13 (IV) of G.O. C.G.A.A. Receipt & Payments Rules before transfer the balance to General Cash Book after 31.10.89

Ayazah

Forwarded to

(S. K. BASAK)

Asstt Accounts Officer

Intergt Audit Organisation

Min. of L & F, S. S. (Biplab East)

AE / IAPT / TA, Dibrugarh

Attached

Medical & Health Officer
Mr. Agomani M.L.

Query on the account records of the Station Engineer HPT/TV/Dehra Dun for the period from April 88 to April 90.

Cash Book (AIR-A-37) - Irregularities in

on verification of the Cash Book (AIR-A-37) the following irregularities had been noticed.

Non-attestation of entries

As per provisions of Rule 13 (ii) of C.G.A Receipt

& Payment Rules all monetary transactions

should be entered in the Cash Book should be

attested by the Head of the office/ A.D.O. in token of his check.

But it appeared that the provisions of

that rule had been disregarded in

this Kerdan for the following transactions

(i) All receipt transactions from 19.4.88

to 31.10.89 - total Sixty seven entries

(ii) All payment transactions from 19.4.88

to 1.10.88 - total Two hundred forty

Non record of particulars

2. Particulars of receipt of Demand Drafts etc

had not been recorded in the specific

Column no 3. for the purpose in the Receipt

on side of the Cash Book

3. The particulars of "opening balance" in hand

"closing balance", "Total" etc had not been

written against the amounts concerned.

Daily/Regular closing of Cash Book

As per provisions of Rule 13 (iii) of C.G.A Receipt

& Payments Rules Cash Book was required

to be closed regularly on the date of transaction

Showing total receipts/payments, closing balance

in hand

But it appeared that this rule had

not been followed in maintaining the Cash

Book as pointed out overleaf.

PTO

Attached

~~See Page 10~~

Date

Amount(Rs)

Remarks

72

31.5.89	3602.83	closing balance not properly found out
30.6.89	12474.53	— 20 —
31.7.89	4950.23	— 20 — not properly found out
31.8.89	3441.78	— 20 —
30.9.89	1588.00	— 20 —
th Balance Should be 10,037.18	Rs per Calculation closing balance	
opening balance taken	comes to $\frac{10037.18}{10037.18}$ as on 30.9.89	
1.10.89 Rs. 7744/2	but the D.D.O. has given a verification	
	Cash verification Certificate of Rs. 7744/-	
	plus "Sanctioned Rs. 2293/2"	
31.10.89		Hence verification certificate is defective
th Balance Should be 4,194.43	and wrong. Balance of paise rounded to rupee also.	
opening balance taken	But shown as Rs. 531.25 plus	
1.11.89 Rs. 531.25	"Sanctioned Rs. 3683.00"	
	which is defective and wrong. Balance of paise also rounded to rupee	
	Physical verification certificate as on 10.11.89 was cash Rs. 531.25	
30.11.89		
th Balance Shd be 7689.53	But shown as cash Rs. 3276.35	
opening balance taken	plus "Sanctioned Rs. 750.00	
7.12.89 Rs. 3276.35	Total Rs. 4026.35 which is defective/wrong	
1736 = 35	and that has been verified by the D.D.O.	
30.12.89	and found OK on 30.11.89.	
th Balance Should be 18879.47	But shown as cash Rs. 12526.00	
	"By TA Sanction Rs. 4813.00" Total Rs. 17339/-	
31.1.90	and that had been physically verified by the D.D.O. on 30.12.89	
th Balance Should be 7122.30	But shown as cash Rs. 7022.30	
28.2.90		
th Balance Shd be 1580.70	But shown as cash Rs. 400.70	
1.3.90		
th Balance Shd be 2900.04	But shown as cash Rs. 320.04	
	(Contd. p.3)	

Affected

Jul 01/1996
 District Health Officer
 Agomani P.H.C.

73

4

30 4.90 4059.14
Cash balance should be
Cash Book monthly
not closed on 30 4.90 nor
balance found out. Rather Cash
Book closed once on 5.5.90 and
balance arrived at R. 1535.96
Cash which is also wrong.

It appeared that closing cash balances found out from 30.9.89 to 30.4.90 were defective and wrong and as a result the opening balances, on the ^{short} next working day were also wrong and hence correct picture of cash balances in hand had not been depicted in the Cash Book during that period upto and upto 5.5.90 which was highly irregular.

Correct closing and opening Cash balances
may please be worked out and recorded
in the Cash Book and shown to Audit
before writing Cash Book for May 1980.

* Forwarded to the
~~DEF/MTF/TV/~~ Dehrugark

1. S. K. HAYAMI
FRESH & CHILLED Oysters
M. M. Oysters & Seafood
10 East 42nd Street

Affected

Well informed
Medical & Health Officers
Mr. Agarwal P.H.C.

Query on the accounts records of the Station Engineer, HPT/TV/Dibrugarh for the period from April '88 to April '90.

74

Non-maintenance of Register of valuables

83

As per provisions of para 5.3.18 of DDK Manual Vol-I Parts I & II and note 3 below Rule 13 of CGA Receipt & Payments Rules, one Register of Valuables in form GAR-5 should be maintained by the D.D.O. in which entries relating

to receipt of cheques, drafts etc valuables and their disposal recorded at the first instance

only drafts received by the D.D.O. in favour of him and encashable in his capacity should be entered in the Cash Book. And other drafts in the name of the third parties/firms should not be a/c for in the Cash Book but should be their disposal should be watched through the Regt. of Valuables. vide para 5.3.2 and 5.3.3. of DDK Manual

The Register should be reviewed by the D.D.O. at regular interval.

But it appeared that no such Register of valuables in form GAR-5 had been maintained in this Kendra and as a result it was not possible to ascertain whether all the demand drafts received by the Kendra had been duly accounted for or not and duly disposed of or not from April '88 onward.

The situation is highly irregular. *Yajesah*
Please open GAR-5 Register immediately

inwarded to the
DE/HPT/TV/ Dibrugarh.

(S. K. BASAK)
Asstt. Accounts Officer
Internal Audit Cell, Division
Min. of L. & P. - Dibrugarh East
Canton. - 781069

Affected

Due 10/11/90
C. Accounts D.E.

Query on the accounts records of the Station Engineer, HPT/TV/Debrugah for the period from April 28 to April 90.

Cash Book (TR-4) - Irregularities in

On verification of the Cash Book TR-4, the following mentioned irregularities have been noticed.

1. As per Rule 13 of CGA Receipts and Payments Rules the DDO should count the number of pages in the Cash Book and record a certificate of Count on the first page of the Cash Book. Pages should be machine numbered. But ~~most~~ page numbers have not been allotted in the Cash Book and no page counting certificate given by the DDO before use of the Cash Book from 19.4.88 to 30.4.90.
2. Month of the Cash Book had not been written in the right hand top space provided for the same upto March 1989 and from 30.3.90 to 30.4.90.
3. Dates of receipt transactions had not been recorded in the specific column for the same as pointed out below.

(a) From (June 88 to 15.12.88)

- 20.4.89 to 26.5.89
- 14.8.89 to 28.8.89
- 3.10.89 to 31.10.89
- 30.12.89 to 26.90
- 31.3.90 to 15.4.90
- 18.4.90, 20.4.90

(b) From 26.90 to 20.2.90

4. Daily posting of entries in the Cash Book had not been done according to the principles of accountancy in as much as Receipt and P.O.

Attested
SAC 19/10/95
Medical & Health Officer
Dr. Agomoni P.H.C.

Payment-side entries of a date had not been started at the same parallel line and totalling not done at the parallel line. For example side Receipt side entries against Payment-side entries

Date 19.4.88

30.4.88

Date 20.4.88

15.5.88

21.4.88

6.5.88

Page-12 13.5.88

27.5.88

Page-15 24.12.88

16.1.89

30.12.88

No date

20.1.89

No. date

29.11.89

30.11.89

31.12.89

30.12.89

And so on

5. As per para 5.3.4 of DDK Manual Vol-I

parts I & II Cash Book should be closed daily/regularly under the attestation of the DDO.

But it appeared that daily/regularly closing of Cash Book had not been so done with totaling and balancing.

6. Due to absence of daily/regularly closings

Cash Book closing balance in hand had not been worked out as per principles of accountancy and not brought forward in some cases.

For example side date 8.5.89, 2.90 (Rs 280/-), 8.2.90 (Rs. 174/-)

7. Column-wise totals in both Receipt and

Payment sides had not been cast in the Cash Book.

8. As per financial rules all Cash transactions of an office should be recorded in a Cash Book G.A.R-3 according to the chronology of occurrence of events. But it appeared that the provisions of the rules had been violated and Cash Book not maintained according to (contd p.3)

Affected

Jew 15/10/98

Health & Health Care
Agomani D.L.C.

to that effect. But the provisions of the rules had been grossly violated in this office and the Cash Book had neither been closed monthly nor balance physically verified by the D.D.O.

10 Demand Draft no and date by which money remittance of money received from the Pay & Accounts office had not been recorded in the Receipt side of the Cash Book in many cases. For example vide
 Page- 25 date 17.11.88
 26 date 21.11.88
 33 date 28.2.90

11 Receipt entries had not been attested by the D.D.O. in violation of provisions of para 5.3.2 of the DDK Manual vol-I

12 Misrepresentation of disbursements

It appeared that undischarged amount of pay & allowances ~~were~~ though taken in the "Register of Undischarged Pay & Allowance - G.A.R-25" the amount paid had not been accounted for in the Cash Book on the date of disbursement and the cash balance of undischarged amount had not been shown in the Cash Book as Balance in hand. The following are some of the instances.

Book no & date + date of encashment	Amount undischarged to	Amount undischarged in Cash Book	Balance in Cash Book	Paid on date	date of Entry in the Cash Book	Paid on date	date of Entry in the Cash Book
1) A1(4)106 dt-5.11.88. encashed on 9.12.88	300.00	3.70	296.30	16.12.89	3.2.89	16.12.89	3.2.89
2) A1(4)86 dt-13.10.88 encashed on 16.12.88	222.00	222.00	0.00	23.1.89	23.1.89	23.1.89	23.1.89
3) A1(4)26 dt-13.6.88 encashed on 16.12.88	230.00	230.00	0.00	23.1.89	23.1.89	23.1.89	23.1.89

(Contd p. 5)

Attested

 Attested
 15/10/96
 Annexure A-10
 Page 9

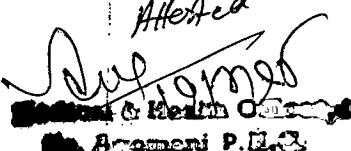
79

Bill no & date of encashment	Amount in Rs.	Balance in undisbursed Cash Bk date	Paid on date	Date entry in Cash Bk
4. A1(2)/89 dt 24.10.89 encashed on 20.1.89	1394.00	Not a/c for in the Cash Book in 1/89 but shown after 23.3.89 at page-15	Nil	page-15
5. A1(2)/124 dt 23.12.88 encashed on 23.3.89	673.00	23.3.89	19.4.89	23.3.89 (prior entry) page-14
6. A1(2)/31 dt 28/12/88 being encashed on 1.3.89	158.75	Not a/c for in Cash Book on 1.3.89	19.4.89	page-15 not shown no date in Cash Book on 19/4/89
-liberally in the book and so on.				

8. Undisbursed Pay & allowances have not been
safe for in the Cash Book properly rather
misrepresented

7. A1(2)/9 dt 3.11.89 encashed on 20.12.89	1108.00	Nil	20.12.89	9.3.90	No entry
8. A1(2)/18 dt 15.1.90 encashed 30.1.90	1058.00	1749.00	2802.50	5.2.90	8.2.90 Not on the date of payment
9. A1(2)/214 dt 7.2.90 encashed on 28.2.90	1642.00	Nil	28.2.90	6.3.90	28.2.90 (prior entry page-33)
10. A1(2) dt encashed on 14/2/90	1250.00	Not a/c for in the Cash Book & remained undisbursed on the date of J. Audit on 7.5.90 Hence as per Cash Book no Cash balance			
11. A1(2)/48 dt 13.2.89 for Rs. 3968/-	952.00	Nil	27.2.89	27.2.89	(prior entry page-13)
12. A1(2)/138 dt 9.1.89 for Rs. 17713/- even of	Salary Bill for 1/89 not a/c for in Cash Book though encashed & disbursed on 31.1.89				
In the above noted irregularities it is considered (P.T.O)					

Attested



Auditor & Head of Department
Government of P.R.C.S.

80

89

that the Cash Book TR-4 is defective and incomplete record of cash transactions made in this office from

19.4.88 to 30.4.90. As a result the day-to-day

Cash balance in hand ~~and~~ shown in the Cash Book

can not be correct and authentic. The Cash Book

should be discarded immediately and a fresh

and fair Cash Book in form GTR-3 should be

opened from 19.4.1988 to 30.4.90 and written properly

from Demand Drafts received, Bills and vouchers paid

etc etc and produced to next Internal Audit

for verification.

If necessary additional hand on overtime allowances basis may be engaged to prepare the fresh Cash Book for early completion of the work.

Forwarded to the AE,

HPT/TVC/Dibrugarh

Syarak

17.8.91 (S. K. BASAK)
Asstt. Account Officer
Internal Audit Organisation
Min. of I & B, 8, Esplanade East
Calcutta-700009

Attested

Surjya
Cocent & Reida
Co. Accountant P.I.C.

18-11-1993

81

It is noticed that out of Permanent Advance of Rs. 15,000/- a sum of Rs. 10,000/- was deposited in State Bank of India, Dibrugarh as permanent recorded on 2/11/92 in the cash Book of P.P.C. (in format of A/R-A/37) on page no. 40. The entries in Bank Pass Books are reviewed and found that three entries are not shown in Cash Book. The details are given below.

Sr. No.	Date of Deposit as per in Cash Book	Date of Deposit as per Pass Book	Date of Withdrawal as per Pass Book	Date of Withdrawal as per Cash Book	Amount Rs.
1. Reverse of 39	2-11-92	9-11-92	—	—	10,000
2. Reverse of 41	—	—	30-11-92	30 $\frac{11}{92}$	4,800/-
3. NIL	—	—	Not shown in Cash Book	8 $\frac{12}{92}$	3,000/-
4. NIL	—	—	do	8 $\frac{2}{93}$	1,200
5. NIL	—	—	do	18 $\frac{8}{93}$	1,000/-
Total Rs 5200/-					5200/-

It is also noticed that the ~~REVERSE~~ PAGEN 42 of Cash Book is missing and in place of this page no. 42 of similar Cash Book with no 42 of V.L.P.T. Khansa is replaced in loose style. This is tampering with Govt. Cash Book and an act of destroying proof willfully. This gives room to doubt for misappropriation of Govt. Money as the withdrawal of amount at Sr. No. 3, 4 and 5 are not shown in cash book. Thus the affected impost money is sent to the said said

capital -

See Affidavit 19/10/92

State Bank of India
Mr. A. D. D. H. G.

The Accounts Section is² not able to ANNEXURE-M show the cash balances physically equal to the amount as shown in P.P.C. Cash Book and HPT Cash Book (Statement in format A/SC-A-34)

Apart from this the amount of Miscellaneous Receipt was wrongly utilised for cash transactions, which was supposed to be deposited with P.T.O. as early as possible. The amount of such Receipt is not available in office as the Accounts Section fail to show it physically. Such amount is higher than Rs. 10,000/- [The exact calculation based on the Receipt Numbers and amount shown against each regarding HPT Cash Book is correctly reckoned as Rs. 10,875/- though the Cash Book shows as Rs. 9,844/- as on 4-11-93].

It is very ridiculous that the Accounts Section charges the amount of Cash, T.A. Advanced given to the staff in the post. Hence the record of such T.A. Advances of Cash does not give clear picture. This also creates difficulties in assessing the physical availability of cash.

The system of keeping cash separate from the main cash chart it also wrong as the A.D.O. cannot have full control over cash. The Audit has passed adverse remarks on the Cash Book in 1990 but till today improvement is not made.

After Submitted to S.P.I.

Sep. 19.1991

RECEIVED
19.9.1990
S.R. ADMINISTRATIVE OFFICE

83

NO. DDK/DIB/105(1)/93-P

42-43/

Date : 20-11-93

MEMO

As reported by Sr. AO the following discrepancies have been noticed in the cash book for the period 2-11-92 to 18-8-93. On 2-11-92 a sum of Rs. 10,000/- was deposited in the bank and subsequently following amount have been withdrawn for which no record was mentioned in the cash book.

1. 8-12-92	Rs. 3,000/-
2. 8-2-93	Rs. 1,200/-
3. 18-8-93	Rs. 1,000/-

This may please be explained immediately.

It is also noticed that in the cash book page no. 42 is missing and in its place a loose sheet has been taged. This is a serious offence. The cash balance is not shown physically which is not all tally with PPC cash book and HPT cash book maintained in format AIR/A/37. Again in the HPT cash book there is no a difference in between Rs. 10,875 and Rs. 9,844 shown in the HPT cash book as on 4-11-93.

Actts and Cashier is immediately rectify the defects in the cash book in consultation with the Sr. AO. Their explanation should reach the undersigned within 27.11.93.

1. Shri I. Hoque,
ACTP, DDK, Dibrugarh.
2. Shri Juna Saikia,
Cashier,
DDK, Dibrugarh.

(M.C. RAUKHONA)
DIRECTOR

Ok

Attested

19/11/93
Medical & Health Officer
Dr. Agomani P.H.C.

Subject:- Shifting of DDMC Admin. Staff to their hired bldg

Most of the staff has been recruited including programme staff. Consequently the ^{of Accounts section} big ~~money~~ and Cash counter in small room on the ground floor is required to be shifted to the First floor of office block.

2. On the First floor one room is occupied by the DDMC Admin. staff which consist of Head clerk and one CLT. As the DDMC has already hired premises, if approved, they may shift to that place immediately. As the said premises is at a distance of about half K.M. there appears problem to be faced. Arrangements to bring files, etc. from that office to this office can be made through the Peon of this office who goes to post office and comes back in the afternoon. The DDMC office is ⁱⁿconvenient to Post office. Hence it is quite possible. In urgency the DDMC CLT also come here with relevant papers.

Cau

3. As the case of placing a leaf of LPTV Khansa Cash Book in our cash book, by tearing off the original page is noticed, the shifting of DDMC staff

Attested
Sep 1977/90

is necessary. This will also facilitate to shift Accents Section & Cash Room adjacent to S.A.O's Room on first floor which is very much required in view of the control over cash transaction and completion of the Audit Objectives raised by the Internal Audit in May, 1980, who has asked for discarding the present cash books and prepare fresh and fair cash books right from 1988.

SD 23/11
S.A.O

SD 23/11
The proposal of shifting S.A.O's staff to their hired building is highly essential as the newly recruited prov. staff has no place to sit. At the same time we shall decide the date of shifting accordingly.

S.A.O

sd. by S.D.
24-11.

SD ^{Affected}
~~19/11/88~~

(86)

Subject:- Request for shifting the cash chest & Cash Counter.

The cash chest is required to be embedded in the wall in the Room of Sr. A.O. as per Rules, as he is responsible for physical verification of cash. At present the cash chest is placed in the Room of S.T. in front of S.D's Room as no A.O/Sr. A.O. was present here. Hence it is requested that the cash chest may kindly be shifted from S.T's Room on the ground floor to the Sr. A.O's Room on the first floor.

2. Similarly the cash counter is placed in a Room on ground floor in front of the Room of another S.T. It is requested that the Cash Counter may be shifted to the Room adjacent to Sr. A.O's Room on the first floor which is vacant.

3. It is also requested that the DBMC Staff may be shifted to ground floor from first floor, as soon as the cash counter is shifted from ground floor.

Stenoted

S.D. 1.2.5.93

Jy. 5/11

affixed
S.D. 1.2.5.93
DBMC

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA, DIBRUGARH

87

NO.DIB/DDK/8(13)/93-A/4460

Dated: Dibrugarh, the
30th Nov' 1993.ORDER

As requested for by him vide his note dt. 27.11.93 in his personal file, the Station Director, DDK, Dibrugarh is pleased to cancel the leave sanctioning memo regarding grant of E.L. from 1-12-93 to 30-12-93 with L.T.C. to Kanyakumari.

2. He may therefore submit a fresh leave application for the period from 13-12-93 onward specifying total period of leave including second Saturday and Sunday on 11-12-93 & 12-12-93 respectively. Thus he will be present in office upto 10-12-93 during which period he will give full factual information with documentary evidences etc. to Sr. Administrative Officer, who has informed that the physical cash of permanent advance was available to the extent of Rs.282/- (Rupees two hundred eighty two) which has also been shown by the cashier in the special Register of cash transactions calculations indicating the outstanding cash advances to the staff.

Sd/-

(M.C. RAJKHOWA)
DIRECTOR

1. Shri P.N.Saikia, Cashier, DDK, Dibrugarh.
2. Shri I.Haque, Accountant.
3. Shri M.Konwar, Store Keeper/C.G.-I and Former Cashier with instructions to give full information to Sr.A.O. about the cash transactions/cash balances/disputed cash memo etc. etc. pertains to the period when he functioned as cashier on priority basis in view of his applications for long period leave.
4. Shri V.P.Bhalerao, Sr. Administrative Officer alongwith the copies of memorandum issued to Accountant and Cashier together with the copies of their comments/explanation vide their applications dt. 27-11-93
5. Shri Chakraborty, CG-II with similar instructions as at (3) above.
6. Kumiari N.Mishra, CG-II with similar instructions as at (3) above.
7. Steno to SE.
8. ASD.
9. ASE.

DIRECTOR

Copy to: i) Head Clerk

ii) Service Book for leave account.

Affected
Date 10/12/93
On Account of

SAO

ANNEXURE-A

15 (1)

88

To

The Director,
Doordarshan Kendra,
DIBRUGARH.

Subject: Reply for of Memo.

S i r,

I propose this office Memo No. DDK/Dib/105(1)/93-p dated 20/11/93 (Confidential), I have the honour to lay the following few lines for favour of your kind consideration and necessary action please.

That Sir, A sum of Rs.10,000/- was deposited into the SBI, Dibrugarh and withdrawn Rs.3,000/- 1200/- and 1000/- respectively from SBI, Dibrugarh and was recorded in the Pass book alongwith withdrawal & deposite register maintained for it but due to oversight the same was omitted to enter in the Cash book. The whole thing was narrated to SAO and he has instructed us to make entry the same in the Cash book now. This is the error of omission and can be corrected/rectified.

The second complain regarding loose sheet of Cash book (written on the top 'VLPT Changlang' has already been shown to SAO and Director and already stated about the actual fact and they have agreed on me.

The third complain regarding the difference of money of the PPC/HPT have already been shown to SAO and as per his instruction, we have remitted the amount to the PAO, Guahati from the recoupment imprest amount and now its remain a very narrow sum to be remitted. The same would also be remitted to the PAO within a very short, spell of time as soon as the recoupment of imprest money received from PAO, Guahati.

That Sir, I have exhibited whole affairs above in para wise for your honour's kind examination. Further, we are leaving no stone unturned in rectifications of errors in the Cash book and other books of accounts. Elaborate efforts have been exercised to avoid further anomalies of accounts in the various accounts.

Thanking you.

Yours Faithfully,

(Signature)
(Md. I. HAQUE)
Accountant,
DDK, Dibrugarh

Dated Dibrugarh,
the 27th November, 1993

... : : :

*Scd 19/11/93
Affacted
S. D. M. - 19/11/93
A.O. m-ni P.*

To

ANNEXURE-A

- 15 - (II)

394 99

89

The Director,
Doordarshan Kendra,
Dibrugarh.

S1r.

Kindly refer to this office memo No.DOK/DIB/105(1)/93-P/43 dated 20-11-93. I have the honour to lay the following few facts for favour of your kind consideration and necessary action.

That Sir, I have transferred from C.C.W., AIR, Dibrugarh on 5-1-93 and joined as Cashier at this station on 5-1-93. Therefore my involvent and responsibilities as cashier will stand w.e.f. 2-4-93 onward. Therefore SD's requested to verify my service as cashier from that day to till date.

Further, I have cleared the amounts of cash for the previous period with loyalty and honesty and unadjusted accounts have been cleared for the previous periods (when I was not as cashier) I am ^{content} continued that there is no anomalies of accounts how, and the rest of allegations of the memo, can be stated by accountant which may be treated as omission of accounts.

The rectification of the cash book has been daily
done as per instruction of Sr. A.O.

Thanking you,

Yours faithfully,

8. 11. 1965

(SRI P.N. SAIKIA)
CASHIER.

Attested
S. Agomani

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA: DIBRUGARH
@@@@

ANNEXURE-A-16 (1)

90

NO. DDK/DIB/ARTEE/8(2)/93-A/ 4442

Date : 27-11-93

ORDER

In supersession of previous orders of allotment of duties of clerical staff, it is hereby ordered that from 1st December, 1993 Shri S. Nath, CGI will work as Store Keeper in Engineering Section. He should hand over the charge of Stationary and furniture to Shri Pranab Bora, CGII right from today upto 30th November, 1993. He should submit a duplicate list of handing over charge to Sr.A.O. simultaneously who will also conduct a test check on detailed check of physical verification where-ever he feels necessary.

2. He should hand over the proforma Invoice of NTC pertaining to liveries to Sr.A.O. together with the letter of D.G. Doordarshan sanctioning the advance payment of NTC bill of liveries giving reasons for the inordinate delay and threatening Sr.A.O. that the NTC bill will be missing if sent to PAO, Guwahati.

1. Shri S. Nath, CGI,
DDK, Dibrugarh.
2. Shri M. Konwar, CGI/SK
DDK, Dibrugarh.
3. Shri Pranab Bora, CGII,
DDK, Dibrugarh.

(M.C. RAJKHOWA)
DIRECTOR

Copy to: 1. Shri P.C. Dutta, Unit Secretary, ARTEE, DDK, Dibrugarh Unit, with reference to their letter No. DDK/DIB/ARTEE/ 93-12 dated 27-7-93.

2. Shri M.K. Joseph, SO for DG, Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi-110 001, with reference to their Memo No. 9(2)/Gen. Dibrugarh/93-EII dated 20-9-93. It is stated that the matter of supply of liveries is being personally looked into by Sr.A.O.

3. SE (PA to SE) 4. ASE

5. Shri V.D. Bhalerao, Sr.A.O., DDK, Dibrugarh with reference to his note dated 27-11-93. He should ensure prompt compliance avoiding delay in supplying liveries.

6. Actt. 7. H/C 8. File ~~maximum~~ of allotment of Duties.

DIRECTOR

Aftered

Up 19/11/93

तार्द का ता : 'दूरदर्शन'

M.C.RAJKHOWA,
EXECUTIVE PRODUCER.

राज्यपालकरण

COURIER

Telegraphic address : DOORDARSHAN

91

भारत सरकार
GOVERNMENT OF INDIA

दूरदर्शन केन्द्र, डिब्रुगढ़

DOORDARSHAN KENDRA, DIBRUGARH

दूरदर्शन केन्द्र
दाकघर सी० आर० बिलिंग
पोस्ट बाक्स संख्या :— ८
डिब्रुगढ़ :— ७८६००३DOORDARSHAN KENDRA
P. O. C. R. Building
Post Box No. — 8
DIBRUGARH :— 786003

No.DIB/DUK/39(9)/93-94/4572

दिनांक/DATED. 6.12.93.

Dear Shri Bhattacharyee Saheb,

I am sending herewith the following bills for arranging payment in respect of N.T.C (WBABO) Ltd. Retail Show Room, Dibrugarh, along with a copy of D.G., Doordarshan, Section order No. 9/3/92-A&G, dt. 6.7.93, in which permission to make the advance payment of Rs. 35,877/- (Rupees Thirty Five thousand eight hundred seventy seven) only, to N.T.C had been granted for purchasing the winter Liveries.

1. Woolen Cloth	43.00 mtrs.	@ Rs.230/-	Rs.9890.00
2. Woolen Cloth	16.50 mtrs.	@ Rs.230/-	Rs.3795.00
3. Blanket	8 Nos.	@ Rs.98.60	Rs. 789.00
4. Woolen Cloth	42.25 mtrs.	@ Rs.230/-	Rs.9718.00
5. Woolen Cloth	1.83 mtrs.	@ Rs.230/-	Rs. 421.00
6. Blue Woolen Jersey	32 Nos.	@ Rs.176/-	Rs.5632.00
7. N.Blue Woolen Jersey	30 Nos.	@ Rs.176/-	Rs.5280.00
8. Woolen Full Sleeved Jersey (Ladies).	2 Nos.	@ Rs.176/-	Rs. 352.00
TOTAL			Rs.35,877.00

I hope that your audit requirement has been now fulfilled and I request you to look into the matter personally and expedite payment, so that the winter liveries can be issued to group 'D' & 'C' Staff during the current of winter.

With best wishes for New Year.

Yours sincerely,

(M.C.RAJKHOWA)

Encl. as above:-

Shri Bhattacharyee,
Pay & Accounts Officer,
Ministry of I & B,
Doordarshan,
Zoo Narenji Road,
Guwahati-781021.

Cont.

Attested
Shri Rajkhowa
Medical & Health Officer
Pay & Accounts Officer

92

Copy to:-

1. M/s N.T.C, Show Room, New Market, Dibrugarh-786001. It is requested that the goods may kindly be supplied as there is no hitch for arranging payment now. Your co-operation in the matter is highly solicited.

✓ 2. Shri V.P.Bhaderwala, S.A.O, D.D.K, Dibrugarh with instruction to pursue the matter further.

DIRECTOR

Attested
July 1998
CCG 216 Room C-203
CC Agomoni D.B.C

National Federation of Information and Broadcasting Employees
Doordarshan Kendra::::: Dibrugarh Unit.

102

93

To,

The Station Director,
Doordarshan Kendra,
Dibrugarh.

Sub:- Minutes of General body meet of NFIBE, DDK, Dibrugarh.

Sir,

The subject cited above the undersigned on behalf of all the staff of DDK, Dibrugarh would like to draw your kind attention towards resolution adopted by the general meeting of NFIBE, DDK, Dibrugarh Unit.

It is unanimous motto raised from all the staff regarding the rudeness and ~~unbecoming~~ unbecoming behaviour of Miss I. Amma to the Seniors/Juniors and ill treatment towards Group 'D' staff. Miss Indira Amma, PA has made a deteriorated situation at the office premises after her joining in this station. A few examples are bring to your notice.

(1) On 16th Sept'93 during the time to "Gheraw to Station Head" as per agitational programme called from NFIBE, steering committee on our legitimate demand when all the staff were attended for peaceful programme, a nuisance situation was created by Miss Indira Amma, PA and illtreatment towards the staff which tempted to all the staff but it was restrained by somehow.

(2) Miss Indira Amma had quarrelled with Mrs Anjana Dutta, Peon and illtreatment to her without any provocation. When Sri D. Bordoloi, local Secretary, NFIBE AIR & DDK, Dibrugarh, had tried to made understanding between them but Sri Bordoloi found a rude behaviour from Miss Indira Amma, PA. Because NFIBE did not taken any action against Mrs A. Dutta as per Indira Amma's complaint letter since the NFIBE has not found any fault from A. Dutta, Peon and that mistake was created by Indira Amma only.

(3) Sri S. Nath has been misbehaved by Miss Amma. She quarelled with him by using uncivilised and unrestrained language at the top of her voice in the glare of staff members.

(4) On the first day of Production Assistant Interview (Oral) when our deputed staff asking the certificates for physical check up as it is to other candidates as she too offered as a candidate on that post, but Miss Amma has shown rudenesss and refused to show certificates to them.

Contd... (2)...

Attested
R. C. Agarwal
Medical & Health Officer
Dibrugarh
R. C. Agarwal

Uptill now NFIBE was silent and giving a chance to her to correct herself. But it appears that she has acclerated her dubious dealings and acted in a manner unbecoming of Government Servant in gross violation of rule 3 of CCS conduct Rules clause 4, 1964.

The house unanimously decided to expell her from NFIBE and she will not be concerned of any matters of NFIBE.

It is also brought our notice towards her rudeness behaviour to outside visitors. If the Head of the station's PA behaves in such indecent way, what will be the image of our department in outside? So it is informed to the Head of the Station that Miss Indira Amma, PA of Director, Doordarshan Kendra, Dibrugarh has violated all official decency and decorum which for tantamounts to subversive and discipline and warrents stern action against her under CCS (CCA), 1965.

The Federation therefore, demands immediate transfer her from this station for such gets which broke the peace of the ~~xxxf~~ office. Otherwise Federation(NFIBE) will bound to take other coarse of action under jurisdiction of NFIBE's rule.

(B) As regards your ICM on the deduction of electricity bill from the quarter staff some objection raised from the staff regarding the rates and arrears. Since the 'C' type quarter are just a Hostel accommodation only and there is a vast difference between 'B' type quarters and 'D' type quarters are almost same to 'C' type quarter. So rates should be as,

'B' type - Rs 50.00

'C' type - Rs 25.00

'D' type = Rs 20.00

This is request from the staff to deduct the electricity bill from the quarter staff in current month and ~~not~~ meet in arrears. Since so many staff were passed away through this station without deducting electricity bill, so it is quite contradictory among the staff.

With thanks,

Yours faithfully,

~~President / Secretary~~
National Federation of Information
Secretary
NFIBE (NATIONAL FEDERATION OF INFORMATION
DOHRUGARH BRUGARH UNIT.
Dibrugarh Unit.

Copy to :-

- (i) The Director General, Doordarshan, Mandi House, New Delhi.
- (ii) The All Unit Secretary, NFIBE.
- (iii) The DDG(NE), Chandmari, Guwahati.
- (iv) The Chief Engineer, AIR & Doordarshan, Calcutta.
- (v) The Station Engineer, DDK, Dibrugarh.
- (vi) The Station Engineer, DDMC, Dibrugarh.

*See Affidavit
1910-1911*

(Confidential)

95
10M

To,
The Director,
DDK, Dibrugarh.

Sub : Attending office at mid night by Sr.AO
+-----reported by Security Guard.

Sir,

With due respect & humble submission, I beg to state that Shri V.P.Bhalerao, Sr.A.O. at this station came into the office on 8th Dec'93 at about 12.00 Hrs (mid-night) and opened his office room and gone away to the campass at about 2.00 p.m. (night). This has been reported by the Security Guard, Shri P.K.Gogoi in the next morning of 9th Dec'93 to Director and to me. It is also stated by him (Shri Gogoi) that Shri Bhalerao, told the Security Guard that myself & Cashier had threated the life of Shri Bhalerao for which, it's learnt, that Shri Bhalerao had given a Ring on the same mid-night from his chamber to his residence informed the above allegations (i.e. life threatening of Mr.Bhalerao). A mention is made here that there has been no such instance in our past and will not be encouraged.

Therefore Director is requested to look into the matter and take necessary action.

Thanking you.

Yours faithfully,

Attested
Rup 19/12/93
Loc. & Health Officer
Ex. Secretary P.E.O.

19/12/93
19/12/93
19/12/93

1

96

The following amounts has been deducted by S.O. from the pay bill of December/93 which is not justified & against of Govt. rule.

Date when Adv. Taken

28-4-1992 1. Md. F. Haque, Accountant = Rs. 1300/-

Before 3-2-93 2. Shri P. C. Banerji, Cr-1 = " 500/-

~~Fraudulent act of
Non-entering and of
Self Cheque in Cash Book.~~ 3. P. N. Saikia, -do- = " 1000/-
4. " S. Chakravarty, Cr-11 = " 300/-
Total:

Therefore S.O. is requested to allow to draw the full salary for Dec/93 of the above-mentioned officials for the time being and recovery of the above will be done later on after discussion with S.D.

'A' // The reparation of cutting salary will put the office on various trouble which is already narrated to S.D.

Answer
31/12

S.D.B'
S.D. A/C
Let the salary for Dec/93 disturbed without deduction as the Makar Sankranti festival falls on 13/1/94 we shall discuss it this week.

b/n
31/12

Attended

Discuss with S.D. with the note submitted by Sh. T. Gopal S.D.

Ref. 1098
Recd. by Cash Officer
21/3/94
Recd. by P.D.C.

S.D. may kindly like to strict to the orders of recovery of.

Recovery may be effected as proposed. b/n
31/12

The Car No. A5-06-3277 as sent to
Kikabali area with ^{team} 3 breakers, on 1/1/91.
It is to be barged on Govt. Ferry as
the Govt. ferry does not run uncertainty-
position. It is also arranged that
govt. ferry which leaves at 10 AM
does not reach on time on the
other Bank of the Brahmaputra -
so the team is to reach the destination
at 12.30 hrs at Maiti with Mr. ~~and~~ Kikabali

An amount of Rs. 1000/- may
kindly be sanctioned from my rest
to meet the working of to and fro
working of the car and @ Rs. 4/- and
Rs. 2/- for fuel purchasing on the
way if need.

Verne 3/11/71
A 3/11 53

Q
31/12/93

~~Director~~
~~SAC~~
~~At/for~~

Import money is not available, hence Dr. 20
may be suggest from where the proposed amount of
Dr. 1700/- in 16 be paid.

Dr. A. H.
B. & H. 1888.

15
Decorate 3rd
Cafe - 12
14

Trolley Service from Society of some
 stuff members is likely to be
 of Rs. (1300 + 1000 + ~~1200~~ + 500 =) 2800/-
 on which the amount can be very
 well paid. Pl. give the advance.

affixed
See 191980

F. No. 107/108
P.D.P.Y.C.

98

S.D. is requested to kindly accept proposal as set 'IS' against offsetting sum.

31/12
S.D.

S.D.
P.

The advance of Rs 1300/- was taken by D/e on 28/4/92, pl. effect deduction as proposed by Sr Ado.

31/12
S.D.

S.D.
P.
31/12
S.D.

Discussed with S.D. again who told not to effect recovery in view of the Nakar Sankranti Festival and threatening by the Accountant at 'A' ride his note dt- 31-12-93. Hence recovery from them is not made.

31/12
S.D.

31/12
S.D.

Affected

Re. P. 107/95

Health Office
Government of P.R.C.G.
Dated: 31/12/93

Administrative Staff Association
Doordarshan Kendra
Dibrugarh.

108

To
The Director
Doordarshan Kendra,
Dibrugarh.

ANNEXURE-A-19.

(99)

Sir,

Please find enclosed herewith the
resolutions adopted in the general meeting A.S.A.
Dibrugarh unit held on 3/1/94 at 1 P.M.

Respecting an early action please

Thanking you.

Yours faithfully

Zorabdia (Walli)

(S. Walli)

Unit Secretary

A.S.A. Dibrugarh.

Enclo: As above

Attested
19/1/94
S. G. Health Officer
Mr. Agarwal P.G.C

Administrative Staff Association

Doordarshan Kendra

ANNEXURE-A/9/09

100

Ref No.

Dibrugarh

Date 3/1/94

A meeting of Administrative Staff Association, DDK, Dibrugarh held on 3/1/94 at 1 P.M.

In the meeting ^{as} presided over by Shri P.C.Chetia, H/C the following resolutions are adopted.

1) Representation submitted by Shri S.Nath, CG-I vide dt 4/12/93 has not been forwarded to Director General by the office after a laps of one month. The authorities are keeping mum in this respect. Association is great concern over such attitude of the office. Sri Nath is hereby requested to submit the same to the Directorate General as advance copy. The Director, DDK Dibrugarh is requested to verify the same at the earliest.

2) Since the authorities fail to take appropriate action against misbehave, misconduct, misdeed and criminal activities of a senior most officer as provably reported by Sri I.Haque, Acctt. vide his information (written) dated 09/12/93. All staff of DDK, Dibrugarh has strongly desired the action against the defaulter within 7 days of receipt of this resolution.

3) Forceable recovery from salary (without recovery from available cash lying at office since long back) from any staff is not permitted by rule and has not provided in the constitution. Therefore the Director is requested to take a spot enquiry to this matter and take action against the officer for whose wrong information the family of the poor employees have been suffering for not disbursement of monthly salary in full.

4) Drastic willfull action against cashier Sri P.N.Saikia (When there is no fault with him) is not as per rule and law. The cashier was governed by DDO and controlling officer. Therefore if the authority think the above action is right then the previous DDO and SE may be called for.

5) Permanency/Probationary case of the staff those who have completed two years of service may please be taken up at the earliest.

6) Proper allotment of duties of administrative staff may please be done immediately.

7) Recreation club of DDK, Dibrugarh may please be shifted from staff colony to office site.

8) The A.S.A. Dibrugarh unit unanamously decided to send two delegates to New Delhi to meet to discuss with the general secretary and president of the A.S.A. regarding various anomalies which is prevailing in the office since three/four months.

Continues

Attested

S. Agomani M.A.

Medical & Health Officer

Administrative Staff Association

Doordarshan Kendra

Ref No.

Dibrugarh

-2-

Date..... 3/1/94

back (for getting Nation Wide support against the discrimination act of the authority). The ARTEE will also be requested to send two delegates, to New Delhi with us for narrating the problem facing by the entire staff of DDK, Dibrugarh.

8)-B The association felt it necessary to form a co-ordination committee with the ARTEE (in local level) to stand against discrimination/act and repressive measure of authority. ARTEE has fully supported it.

9) Association Dibrugarh unit meeting should be held ~~in~~ once in a month (i.e. 1st week of every month)

10) (03-01-94) Secretary of ASA has delegated full power by today's meeting to write to the Director General, Doordarshan, New Delhi on behalf of association as discussed.

11) The seniormost officer (Sr.A.O.) went on C/L for 7 days w.e.f. ^{1st} July. But he did not come back from leave and had been staying at home for long 3 months without information/intimation to this office. The office had severely reminded him, but he did not respond any time. The office had at last reported to the Dte. for seeking permission to place the case with the police authority (all papers connecting to the above are enclosed) After 3 months keeping mum he informed this office by telegram. This is the activities of a senior most office. But no action is so far been taken by the office authority. A part from the above, there are a members of serious facts against him which is being sent to the D.G. Doordarshan, New Delhi with statement for verification.

12) Sri P.C. Baruah, CG-I has been authorised by the Association to discuss with the lawyer for such pay cut from the officials and other ancillary matters as discussed.

Submitted the resolution to the Director from Sl.No. 1 to 7 and 12 for immediate action before the emergency meeting of the Association to be held on 10/1/94.

2000-2001
UNIT SECRETARY

Chairman Presidenc-

Chairman Presidenc-

17 Agor 225 B.C.

and Payments Rules-1978 or ~~the~~ Rule 2-2 of
Central Treasury Rules (C.T.R.) will
Rule 17 of 'Delegation of Financial Power
Rules-1978' etc. etc.

102

c) ~~Copy~~ of S. No. 56/c is the
form of Acceptance Note which indicates
at Col. 4, the Net Payable amount of Salary
and at Col. 12, the Misc. Recovery to
be deducted from Salary. This
specimen form itself indicates
that the recovery can be made
directly by deducting the amount
from Net Salary.

g) Question of recovery of Cash
T.A. Advances from other members
of Cash Paid for Motor Vehicle
does not arise as the Vouchers
pertaining to Smt. P. C. Chaitin,
Held & Clark, Smt. P. C. Basu
Cash T.A. Advances are outstanding
according to statement of Cash
and on the statement of Rs.
2950/- which is his liability
for doing the amount for cash
instead of cashing in T.A.

Attested
T. A. Bill

July 1978
Smt. P. C. Basu
Cashier

Contd. - 12

10) In view of above all points the decision in memo No Dts/DEK/ (13)993.11.30.12.32, can not be changed, as we have to make up the loss of montage of imported raw material.

11) S.D. is advised to finally consult S.A. before passing the orders contradictory to the decision taken in the memo issued to Staff, so that office decision can be observed and insubordination to S.A. by Subordinate Staff avoided. All these decisions advised given in public interest only.

12) I have today brought the instance of giving threatening to S.H.C. by Sir P.C. Banerjee, C.I.D. when S.H.C. wished him safety in New Year on 1.1.36 in the Ranchi of Account court. This may kindly be noted if sold in situation when frontier place affected.

(D) 1.1.36 1936

Sub- Adv. for M.V. on tour

104

21

Office Car No. A-5-06-3272
is detailed for coverage Team
for Dried festival to be held
at Chinni village Kondap. Taty
district Orissa Pradesh on
15/1/94. An amount of Rs. 300/-
be sanctioned for fuel and emergency
repairs of needs. Journey may
have to carried by ASD. Fresh amount
so sanction be given from Office
in next. Team is leaving on
14/1/94 and returned on

16/1/94

12/1/94

SE

SAC

A/c

Carries

Rs. 300/- may be given
on 14/1 to meet contingencies

12/1/94

Commissioner of Accounts (Rs. 300/- to ASD)

12/1/94

Carries Only Rs. 300/- is sufficient

SAC

ASD

SE

ASD, not suppose to
bear from carrier but
from SAC.

A/c

88 A/c

Attested
SAC
Health Office
Agomani P.S.C.

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA: DIBRUGARH.

105

NO.DIB/DDK/8(13)/93-S/ 5857

Dated Dibrugarh, the
19th January, 1994.

20/1

MEMORANDUM

With reference to his application dated 10-1-94 Shri P.N. Saikia, CG-I Cashier is hereby informed that his request for changing his portfolio(except cashier) is under consideration provided he completes the rewriting work of cash books etc. in view of the audit objections raised by the Internal Check Organisation of PAO, Calcutta.

2. He has not taken over the cash from the day of his return from leave on 10-1-94. Hence he is having full day time to attend to the above work ^{and complete it} as early as possible so that his duty can be changed as per his request.
3. He is therefore directed to arrange all relevant documents and vouchers chronologically monthwise. He himself may please intimate the date by which he is likely to complete the above work.
4. He is also directed to Co-operate to settle the cash advance in consultation with Sr.A.O. whom will brief the progress report to the undersigned regularly.

(M.C. RAJKHOWA)
(M.C. RAJKHOWA)
DIRECTOR

To
Shri P.N. Saikia, CG-I Cashier.
DDK, Dibrugarh.

Copy to :-

1. Shri V.P. Bhalero, Sr.A.O. DDK, Dibrugarh.
2. Shri I. Haque, Accountant, DDK, Dibrugarh.
3. Steno to S.D.

&@&@&@&@&@&@&@&@&@&@

Affected
19/01/1995
Central & North Channel
Ch. Accountant D.D.K.

Dt. 15-3-1894

The Station Director,
Doordashan Kendra
Agra.

(106)

Subject - Discrepancy in the expenditure
figure booked by P.P.C. & this office

This is to bring to your kind notice
that while conducting reconciliation
work I have noticed that there is
discrepancy as well in the P.P.C. - PLAN
Expenditure.

- 1) D.D. issued by P.D.O. R. 81,836/-
for P.P.C.T.A. upto
Nov 1893
- 2) T.A. Bills entered
in P.P.C. - PLAN Bill R. 57,691/-
Register upto Nov 1893
Page No. 62 of G.A.R-9
register.
- 3) Amount not entered in 4,205/-
Bill Register & Cash Book
by our office (Revised for the Total from
Sh. P.N. Sarkar, Cashier & Acctt. Sh. Hagan)

This discrepancy is to be clarified by
Sh. P.N. Sarkar, Cashier & Acctt. Sh. Hagan.

Attested

N.D. 10/3/94
P.P.C.

P.D.O.

The Director,
Doordarshan Kendra,
DISRUGARTI

Subject:- Telephonic threatening by
unknown man for killing.

Sir, This is in continuation of my telephone
conversation with you on 17.3.94 during the
lunch break in your residence from telephone
No. 21504 of the Chowkidher Police Station
after telephonic discussion by Mr. Das the Than
In-Charge. Sir, you are informed by me about
the telephonic threatening to me on my office
telephone No. 22742. The brief threatening by
some unknown man was as under on 17th
March at 12.15 P.M.

"FREE INDRA ANNA STENOGRAFHER TO
WITHDRAW COURT CASE AGAINST RECRUITMENT
OF PRODUCTION ASSISTANT ELSE YOU WOULD BE
DEFAMED AS HAVING IMMORAL CONTACT WITH HER
AND YOU BOTH WILL BE KILLED"

~~Ver
19/3/94~~

That person did not tell his identity. I told
him to see me in person instead of raising false
false charges against me and giving threatening of
life but he disconnected the telephone. Thereafter
I was busy with signing of cheques as cheques were
come to my room and also busy with signing the salary
bills (Syndicate level) It was 1.00 P.M. when I passed
into in your room. You were not there. Before that I
telephoned to pone No. 180 and 181 and 197 to find out
the telephone number from which I received the said
call but all of them expressed inability.

After coming back from Police station to
staff quarter I told ^{abt} this incident to Miss Anna

Affested

Scd 19/3/95

who was available in Staff Quarters during lunch break. I took my lunch and again went to town and send a telegram to the Directorate Board of the New Delhi so that I must keep informed them also. 108

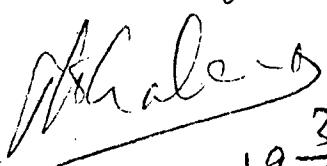
Mr. Dan, Thane-in-charge Chanderi Lingshee Police Station told me that he would be coming to your quarter that day evening and after discussing with you would decide about the registration an F.I.R. etc.

This was discussed with you on 18-3-94 in your room. ~~Also~~ in presence of Sh. Gaur, A.S.D. I told you that I may adopt the appropriate procedural methods to approach the police station and Dte. etc. for my protection of life being very sensitive and dangerous issue.

You are requested kindly to take further necessary action at your level also.

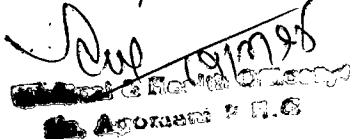
Thanking you.

Yours faithfully,


3
(V.P. BHALERAO)
Sr. ADMIN. OFFICER.



Attested


18/3/94
For the Director
Agomam "R.C."

(109)

Subject: - Disbursement of Salary
of March '94 in April '94

The note of Accountant in which he has stated that SBI has advised to disburse salary of March '94 on 31-3-94 is misguiding and against financial Rule.

Sr. A.O. has contacted Sr. A.O. at DAK. Tivahati who told telephonically that salary of March '94 will be disbursed on 4-4-94.

It is proposed that Accountant should be issued a Memorandum under intimation to Sr. A.O. who is fed up of Accountant's so many errors which are being brought to the notice of Directorate separately under intimation to S.D.

S.D.

P.M.
B.S.

A. 28/4/94
Attest
Nal 197086

Since there will be 3 changes starting ^{"a"} 31st March '94 as usual salary for March will be drawn today and distribution to commence 11/4/94. This may be suspended for one month. Employees' time of distribution is 9 am to 1 pm.

110

AC
S.R.A.O
CASHIER

Mr.
31/3/94
Cashier pl. do as ~~described~~ per. S.R.O's
order.

The ARTCC members under the
leadership of Shri P.C. Datta glorified
me in presence of Shri Chakrabarty Cashier
today, it is advisable to contact
ADT, (F.) in the Directorate and
also offices in Paravati. S.R.O.
is not in favor of circulating the
financial Rules. Head of Office
is advised to take discretion in
consultation and with the approval
of the Dte. Yesterday Shri Karambekar,
S.R.O. told on telephone that salary will be on 4-4-94.

SD
S.R.O.
S.R.O.

P.3
31/3/94

I have already asked it
done. It is up to do it self

31/3/94

Affected

Shri P. C. Datta
S.R.O.
Paravati
S.R.O.
S.R.O.

ANNEXURE - A-27

CONFIDENTIAL

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA::DIBRUGARH

III

NO. DIB | DDK | 7(3) | 95-S | 5319

Dated, Dibrugarh
the 31st, Jan '95.

181 181

M E M O

This is noticed that while working as cashier for the period from 15-5-94 to 16-11-94 by Shri R.M.Mazumder, LDC a discrepancies in the imprest account amounting Rs.5,865/- (Rupees Five thousand eight hundred sixty five) Only is incurred. This act has resulted a shortage of Rs.5,865/-. Shri Mazumder is hereby directed to deposit the money within 7 days to the cashier in order to avoid any stern or drastic action over this issue.

Any discrepancies if noticed afterwards from outstanding list of advance in addition to above advance that also required to settle individual cashier in which period the discrepancies pertains.

(M.C. RAJKHÓWA)
DIRECTOR

To
Shri R.M.Mazumder,
Lower Division Clerk,
Dqordarshan Kendra,
Dibrugarh.

*** *** *** ***

Attest'd
Jeff. G. Jones
[Redacted]
State Health Officer
Dr. Agostoni P.D.C.

ANNEXURE-A CONFIDENTIAL

28

112

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA::DIBRUGARH

NO. DIB/DDK/7(3)/95-S 5.5.95

DATED, DIBRUGARH
THE 31ST JAN'95.

M E M O

This is noticed that while working as cashier for the period from 16-11-94 to till date by Shri S.Chakraborty, LDC a discrepancies in the imprest account amounting Rs.536/- (Rupees Five hundred thirty six) Only incurred. This act has resulted a shortage of Rs.536/-. Shri Chakraborty is hereby directed to deposited the money within 7 days to the cashier in order to avoid any stern or drastic action over this issue.

Any discrepancies if noticed afterwards from outstanding list of advance in addition to above advance that also required to settle in-divisual cashier in which period the discrepancies partains.

(M.C.RAJKHOWA)
DIRECTOR

To
Shri S.Chakraborty,
Lower Division Clerk,
Doordarshan Kendra,
Dibrugarh.

Attested
16/1/95
Health & Health Officer
Mr. Agomani P.H.C.

** * * *

113

To,

The Director,
Doordarshan Kendra,
Dibrugarh.Dated, Dibrugarh
the 10th Feb '95.Sub :: Request to extend the last date of
recovery of the short amount upto/
31st March '95.Ref :: Memo No DIB/DDK/7(3)/95-S/5319, dated
01-02-95.

Sir,

With due respect and humble submission,
I, Shri Radha Madhab Majumder, L.D.C., would like to state
that I regret for not being able to submit the short amount
of IMPREST fund by the due time as per your memo No mentioned
above.

That Sir, I am a Lower Division Clerk of
this office and accordingly my salary is about Rs 2,250/-
per month. Moreover, I am the only bread-earner of my family.
But still, I agree to pay the asked amount by 31-03-95
beside facing a lot of problem.

Therefore Sir, keeping in view of the above
fact, I hope you will be kind enough to extend the last
date of recovery upto 31-03-95 and oblige me for which I
will be very much grateful to you.

Thanking you in anticipation,

Yours faithfully,

Radha Madhab Majumder
10/2/95

(RADHA MADHAB MAJUMDER)
Lower Division Clerk

** *** **

Attested
Radha Madhab Majumder
Medical & Health Officer
N.C. Agarwala P.D.C.

GOVERNMENT OF INDIA
DOORDARSHAN KHANDA LIBRARY.

114

NG-CIB (PPL (TV)) (B(3)) 90-81 (1.H) 562976 5653

Dated, Dibrugarh, the
17th February, 1895.

Q R D E R

Shri I. Haqee, Accountant has agreed to pay Rs.800/- (Rupees eight hundred)only in presence of A.O.(Sri M.S. Memon) & Cashier(Sri S. Chakraborty) & the former Cashier(Sri R.M. - Mazumder) as after settlement of Tour TA bill no.A-2(1) | 326 dt.07-05-04 of Shri K. Ramanan, A.E. He has taken Rs.800/- (Rupees eight hundred)only from the DDMC Cashier Shri R. Saikia, C.G.-I in an arbitrary manner on 17-06-04 as per entry in the Cash Recovery TA Advance Register Page NO.8.

As Sri I. Haque, Accountant has not refunded Rs.800/- (Rupees eight hundred)only till date, it is hereby ordered that Cashier should recover Rs.800/- (Rupees eight hundred)only from the salary of Sri I. Haque, Accountant for the month of Feb'05 & issue cyclostyled receipt for Imprest money recovery. He is hereby warned not to recur such instances in future.

(M.C. RAJKHOLA)
DIRECTOR

Copy to:-

- 1) Sri I. Haque, Near Outdoor Stadium, P.O. Boiragimoth, Dibrugarh.
- 2) Sri I. Haque, Accountant, Doordarshan Kendra, Dibrugarh through Cashier.
- 3) Senior A.O./A.O.
- 4) Sri Rajib Saikia, DDMC, Dibrugarh.
- 5) Sri S. Chakraborty, Cashier, DDK, Dibrugarh, to make recovery as above.

318988358

The scrutiny of the previous register reveals that Rs 1300/- (Rupees one thousand three hundred) only is still to be recovered from Sri I. Hagne, Accountant which was taken by him on 28/4/92 for his tour to PAO, Calcutta. A fake entry is appearing without date and signature of cashier regarding the recovery of this amount. The cash note of advance taken by him is verified on which there is no entry by the cashier for recovering this amount which is shown to the Directors. The fake entry in the old register has misguided for making entry in the new register of advances prepared by Sri H. S. Memon, A.O. who was not fully conversant with the past cases. We may recover this amount from his salary immediately as it pertains to the year 1992.

S. dekkatally
18/2/95 SO/A.O
Attitude of Shri. I. Hayes, Asstt. fin. cash.
transactions is untrustworthy. When seen by
for this purpose was first time addressed
on 31-12-93, Shri Hayes threatened victim
his note dt. 31-12-93 asking for half marking
recovery. Ultimately this issue was kept
pending. He did not volunteer to
refund the above money thereafter.
On 10-1-94 he recovered the above
money securing the above

Hence we will fix his salary for February 95
at ~~about~~ from his salary for February 95
as it is inadequately delayed.
A draft is also put up for April
at the ~~new~~ ^{new} rate.

116

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA: DIBRUGARH

NO. DIB/PPC(TV)/8(3)/90-A/I.H. 5656

Dated, Dibrugarh
the 18th, Feb '95.

O R D E R

The scrutiny of the imprest TA advances has been conducted and found that Sri I.Haque, Accountant has not refunded a sum of Rs.1300/- (Rupees One Thousand Three Hundred) only till date which was taken by him on 28-04-92 for his tour to PAO, Calcutta. He was reluctant to pay this amount when asked for on 31-12-93. The TA bill for this tour has since been settled and there appears no reasoning for keeping this refund by him pending. This sort of his untrustworthy attitude are unpleasant and against financial discipline which is not expected of an Accountant. Therefore, a sum of Rs.1300/- (Rupees One Thousand Three Hundred) only is being recovered from his salary for the month of Feb '1995 for which Cashier will issue him a printed receipt for having recovered the said amount.

(M.C. RAJKHOWA)
DIRECTOR

Copy to:-

1. Sri I.Haque, Near outdoor Stadium, P.O: Boiragimoth, Dibrugarh.
2. Sri I.Haque, Accountant, Doordarshan Kendra, Dibrugarh.
3. Senior A.O./A.O.
4. Sri S.Chakraborty, Doordarshan Kendra, Dibrugarh to make recovery as above.

Attested
S. Agomani P.E.C
Additional Health Officer
Mr. Agomani P.E.C



ANNEXURE-A-33

117

भारत सरकार
GOVERNMENT OF INDIA
दूरदर्शन केन्द्र, डिब्रुगढ़
DOORDARSHAN KENDRA, DIBRUGARH

दूरदर्शन केन्द्र
डाकघर सी० आर० विलिंग
पोस्ट वाक्स संख्या :— ८
डिब्रुगढ़ :— ७८६००३

DOORDARSHAN KENDRA
P. O. C. R. Building
Post Box No. — 8
DIBRUGARH :— 786003

NO. DIB/DDK/14(3)/95-S

दिनांक/DATED..... 22-02-95

To

1. The Deputy Director General,
North East Region,
Doordarshan Kendra,
Guwahati.
2. The Station Director,
All India Radio,
Guwahati.

Sub:-Proposal for transfer of Shri I.haque, Accountant
DDK,Dibrugarh to DDMC,Jorhat.

Sir,

It is understood that due to sudden demise of Shri B.C. Dowerah, Accountant Doordarshan Maintenance Centre, Jorhat a post of Head Clerk is lying vacant there. It is proposed that Shri I.Haque, Accountant may kindly be transferred to DDMC, Jorhat who will be relieved immediately without waiting for a substitute. Shri Haque was recruited as CG-II in AIR,Dibrugarh and since then he is working in Dibrugarh till now.

This office has got an imprest amount of Rs.40,000/- (Rupees Fourty Thousand)only. Shri Haque is in habit of misappropriating the amount of imprest by showing incorrect account of cash advances paid to staff for tour purposes. Though the staff members refund the amount, he indicates the amount as such outstanding. In the course of time such amount so accumulated that no imprest money is available. Such shortage of imprest money lead to utilisation of amount of miscellaneous receipt two years ago. Our Senior Administrative Officer faced so many problems to get this amount remitted to government account and to recover the rest of the amount from the concerned cashier etc. During the leave period of Sr. A.O. Shri I.Haque, Accountant misguided the new cashier and again shortage of imprest cash is ascerta-

(Contd:....2)

Attested
Sub. I.G.M.S
Sub Inspector of M.R. Dibrugarh
Approved P.M.

in'd by the new Administrative Officer, who had no alternative except to issue orders for recovering the shortage amount from the new-cashier, which is under process. Shri Haque, Accountant thus creates problems and cashier have to refund the amount. Shri Haque, Accountant escapes on the plea that he is not supposed to handle the cash. Neither the station Engineer nor the Director is desirable for his retention in this office. The Sr. and Jr. Administrative Officers are facing the problems created by the Accountant. Both Jr. and Sr. A.O.'s are on tenure posts. New A.O.'s will always come to this place and will face take the such unhealthy undesirable situations for their no faults. The cashier face the problem of recovery and ~~now~~ other clerks have lost interest in becoming cashier so long Shri Haque is in this office. Our Head Clerk has expressed his views that unless the imprest account is maintained accurately, he will not take over the charge of an Accountant. Some how we have convinced the Head Clerk to look after the charge of an Accountant in addition. In DDMC the imprest amount is to the extent of Rs.10,000/- and tour occasions of staff members are very less, when cash TA. Advances are accountable very easily. Therefore, Shri Haque will not have chances to misappropriate the imprest cash.

We shall be grateful to you for materialisation of the transfer of Shri I. Haque, Accountant from this office to DDMC, Jorhat as early as possible.

(M.C.RAKHWA)
DIRECTOR

Copy to:-

Sr. A.O. for information and necessary action.

Aftered
Aug 1979
Health & Health Officer
Mr. Accountant P.H.C.

119

ANNEXURE A-3

To
the Director,
Swaroopan Kendra,
Dibrugarh.

S.D.O.
H.C.
Ku. U. K. S. 10a



Sub:-Misbehaving by Office Staff by name Shri T.N.
Swargari, Helper.

119

Sir,

I, Shri Sudip Paul, LDC would like to state that I have been misbehaved and threatened by one of our own staff, Shri T.N. Swargari, Helper.

That, Sir, I have been deputed to assist Shri S. Chakrabarty, Cashier to distribute the salary money. Hence I was doing so. While I gave the amount of salary of Shri Swargari of Rs. 1870/- one two rupee note was included in the denominations, which was not in good condition. He requested me to change the note, but as there was not any good conditioned note. So, I asked him to collect the said amount later from the Cashier (Shri Chakrabarty) on the basis of good faith.

But, I was surprised to see that Shri Swargari got angry with me and threw the damaged note and accordingly he threatened me saying that he will treat me outside the campus.

So, I don't find any such fault from my side for which I can be charged in such a way.

This is for your kind information with a request to look into the matter seriously and also to take disciplinary action against the guilty person.

Yours faithfully,

S. PAUL (S.D.O.)

Dated, 3-4-95.

Copy to:- 1) Station Officer, for kind information,
2) Sr. A.O. for information & necessary action.
3) Secretary, ADASA, DDK Dibrugarh.
4) Secretary ARTEF DDK Dibrugarh.

Attested

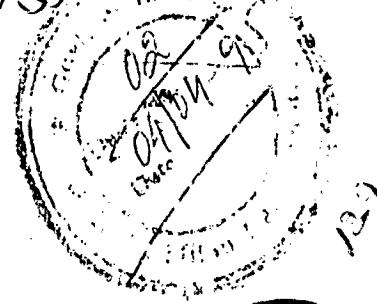
Shri Sudip Paul
S. PAUL (S.D.O.)

S 80

XN

Mr. V. Haran Rao

FBI



Mr. Station Director
DK, Bhubaneshwar

(120)

Ans: Threatening to Sri S. Paul, LDC by Sri T. N. Dvargave, Helper.

Sir,

Mr. Sudip Paul, LDC was helping me for cash disbursement of March Salary on 3/4/95. At about 3.00 PM Mr. T. N. Dvargave, Helper started quarrelling with Sri S. Paul after receiving his salary from Sri S. Paul on the ground that one two rupee note given to him was not in good condition. Mr. Dvargave threw the two rupee note at Sri S. Paul scolding him and threatened him that he will treat him outside the office. He was so angry that Sri S. Paul went to Director to report the matter verbally. I worry how to work under such circumstances. Hence, I request the office should take disciplinary action against Mr. Dvargave.

Yours faithfully

V. P. Chakrabarty

SRI SKANTAN CHAKRABARTY

3/4/95

SY. A.U.

Attested

121

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA: DIBRUGARH

NO. DIB/DOBK/10(2)/95-9] - 59

Dated, Dibrugarh
the 4th April '95.

MEMORANDUM

Disbursing It is reported that on 3-4-95 in the afternoon, while receiving salary for the month of March '95 Shri S. Paul, LDC who was Assistant in cash disbursement gave a two rupee note in salary as payment of Rs. 1870/- to Shri Virthe Nath Swargari, Helper. Shri Swargari got angry with Shri Paul saying that the two rupee note was not acceptable to him being damaged. Shri Swargari ^{got} so angry that he threw ^{down} the damaged note of two rupee ^{before} Shri Paul using insulting language and threatened Shri Paul that he will treat him outside the office campus. This was brought to the notice of Director immediately by Shri Paul.

2. The above misbehaviour on the part of Shri Swargari is against office discipline and rules of law and order. Shri Swargari is therefore directed ^{to explain} as to why disciplinary action should not be taken against him. His explanation should reach in this office within three days of receipt of this memorandum.

To
Shri T.N. Swargari,
Helper,
DOBK, Dibrugarh

(M.C.RAJKHOWA)
DIRECTOR

Copy to :-

1. Shri Sudip Paul, LDC.
2. Shri S. Chakraborty, LDC.
3. Spare Copy.

Attended
Sudip (S1025)
Medical & Health Officer
Ex. Accountant P.F.C.

GOVERNMENT OF INDIA
BOARD OF SHARIAH KENDRA: DIBRUGARH

122

NO. DIB/EDK/36(5)/94-95/ 74

Dated, Dibrugarh,
the 5th April 1995.

I C G

Subject:- Streamlining of procedure for early payment.

Following procedure should be observed by all concerned for payment of various claims:

- 1) G.T.A. : G.T.A claims of previous month should be submitted to Accounts Section before 30th of next month.
- 2) TOUR TA : Tour TA claims should be submitted to Accounts Section within a week after completion of tour.
- 3) MEDICAL Bills : Empties/Cartridges of medicines, tablets/capsules/ injections etc- should be submitted to Accounts Sections along with the medical claims.
- 4) CASH RECEIPT : Cash repayment should be made to Cashier only for which cash receipts should be obtained.

Copy for circulation to:-

- 1) The Director
- 2) Station Engineer
- 3) A.S.E./A.S.D
- 4) S.R.A.C.
- 5) P.C. Baruah, UDC
- 6) Notice Boards/Transmitter/P.H.C/Office
- 7) All concerned Dealing Assistant.

(M.C. RAJENDRA)
DIRECTOR

RECORDED

Attested

Sub P.M.X
Official Seal of
Central Board of
Secondary Education
New Delhi P.H.C

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA: DISBURGARH

123

NO.DIB/DOB/II(12)/95-6/63

Dated, Dibrugarh
the 9th May 1956

132

To Co. No

Due to the negligence on the part of the Cashier and in few cases of non-submission of their TA bills by the concerned officials, huge amount of Impeast money is outstanding against the employees of this office, which has lead to continuous increasing shortage in permanent Advances.

Sri S.Chakrabarty, Cashier is therefore, directed to recover the Impeast Cash TA advances immediately from the Bills of ADA payment etc to avoid disciplinary action against him. The list of the officials and their amount is attached with the I.C.M.

(M.C. RAJKHWA)
DIRECTOR

Copy to :-

1. Sri S.Chakrabarty, Cashier for necessary action.
2. Sri Administrative Officer for information.
3. Accountants
4. Head Clerks
5. Steno to Directors
6. Steno to Station Engineer
7. Engineering Section for circulation.
8. Programme Sections
9. Driver & Security Guard Section.
10. Craft & Office Staffs
11. Office Notice Boards

Affected

Sug 6/1/56
Health Officer
Dr. A. Kumar P. H.C.

124

(39)

NAME & AMOUNT OF THE INCUMBER FROM WHOM THE RECOVERY IS TO BE MADE.

<u>NAME & DESIGNATION</u>	<u>RECOVERABLE AMOUNT</u>
1. Smt. R. Ahamed, Khalast	Rs.2240/-
2. B. Hexapika, Driver	Rs.325/-
3. R. Senthil, Helper	Rs.100/-
4. B. Sugunan, EA	Rs.250/-
5. C. Ilango, Driver	Rs.100/-
6. D. Senthil, Helper	Rs.70/-
7. L. R. Reng, Khalast	Rs.50/-
8. D. K. Natarajan, Helper	Rs.100/-
9. A. Rahaman, Driver	Rs.100/-

(R. C. RAJKHWA)
DIRECTOR

Attested


 Collector & Health Officer
 Co. Annamalai P. H. C.

Extract from the Constitution of India

125

ART. 113. Procedure in Parliament with respect to estimates.—(1) So much of the estimates as relates to expenditure charged upon the Consolidated Fund of India shall not be submitted to the vote of Parliament, but nothing in this clause shall be construed as preventing the discussion in either House of Parliament of any of those estimates.

(2) So much of the said estimates as relates to other expenditure shall be submitted in the form of demands for grants to the House of the People, and the House of the People shall have power to assent, or to refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein.

(3) No demand for a grant shall be made except on the recommendation of the President.

ART. 114. Appropriation Bills.—(1) As soon as may be after the grants under Article 113 have been made by the House of the People, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of India of all moneys required to meet—

- (a) the grants so made by the House of the People; and
- (b) the expenditure charged on the Consolidated Fund of India but not exceeding in any case the amount shown in the statement previously laid before Parliament.

(2) No amendment shall be proposed to any such Bill in either House of Parliament which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of India, and the decision of the person presiding as to whether an amendment is inadmissible under this clause shall be final.

(3) Subject to the provisions of Articles 115 and 116, no money shall be withdrawn from the Consolidated Fund of India except under appropriation made by law passed in accordance with the provisions of this Article.

ART. 115. Supplementary, additional or excess grants.—(1) The President shall—

- (a) if the amount authorised by any law made in accordance with the provisions of Article 114 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year, or
- (b) if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year,

cause to be laid before both the Houses of Parliament another statement showing the estimated amount of that expenditure or cause to be presented to the House of the People a demand for such excess, as the case may be.

(2) The provisions of Articles 112, 113 and 114 shall have effect in relation to any such statement and expenditure or demand and also to any law to be made authorising the appropriation of moneys out of the Consolidated Fund of India to meet such expenditure or the grant in respect of such demand as they have effect in relation to the annual financial statement and the expenditure mentioned therein or to a demand for a grant and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet such expenditure or grant.

Right to Freedom

ART. 19. Protection of certain rights regarding freedom of speech, etc.—

(1) All citizens shall have the right—

- (a) to freedom of speech and expression;
- (b) to assemble peaceably and without arms;
- (c) to form associations or unions;
- (d) to move freely throughout the territory of India;
- (e) to reside and settle in any part of the territory of India; and
- (f) *deleted*;
- (g) to practise any profession, or to carry on any occupation, trade or business.

ART. 21. Protection of life and personal liberty.—No person shall be deprived of his life or personal liberty except according to procedure established by law.

ART. 46. Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.—The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.

Affixed

A.O. 6000

ART. 113. Procedure in Parliament with respect to estimates.—(1) So much of the estimates as relates to expenditure charged upon the Consolidated Fund of India shall not be submitted to the vote of Parliament, but nothing in this clause shall be construed as preventing the discussion in either House of Parliament of any of those estimates.

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- (a) the grants so made by the House of the People; and
- (b) the expenditure charged on the Consolidated Fund of India but not exceeding in any case the amount shown in the statement previously laid before Parliament.

(2) No amendment shall be proposed to any such Bill in either House of Parliament which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of India, and the decision of the person presiding as to whether an amendment is inadmissible under this clause shall be final.

(3) Subject to the provisions of Articles 115 and 116, no money shall be withdrawn from the Consolidated Fund of India except under appropriation made by law passed in accordance with the provisions of this Article.

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- (b) if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year,

cause to be laid before both the Houses of Parliament another statement showing the estimated amount of that expenditure or cause to be presented to the House of the People a demand for such excess, as the case may be.

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- (b) to assemble peaceably and without arms;
- (c) to form associations or unions;
- (d) to move freely throughout the territory of India;
- (e) to reside and settle in any part of the territory of India; and
- (f) *deleted*;
- (g) to practise any profession, or to carry on any occupation, trade or business.

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ART. 46. Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.—The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.

126

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA :: DIBRUGARH

NO: DIB/DDK/51(8)/Security/94-95/ 689 Dated, Dibrugarh
the 9th May '95.

L. G. M.

It is observed that some office items either loose or fixed are getting lost ~~and~~ time and again. It is nothing but a case of stealing which is certainly done by some of the staff members. This nasty work has spoiled the office decorum of this station. It is viewed very seriously. Security guards are, henceforth, instructed to be extremely vigilant by checking individual bag, scooter and other vehicle etc. Anything suspected should be reported immediately.

(M. C. RAJTHOMA)
STATION DIRECTOR

CCOPY TO:

1. SD/ASD/ASE/Sr. A.C.
2. Notice Board -
3. Security officer.

Attested

Surjya
Date: 26/5/95
CC: Account D. P. A.

##*#*#*#*#*#*#*

Abbas
Pl. send to 7000/- (Riyat, term in
Hindi) as I am poor)
Guaranteed with vehicle.

Ram
1975

Abbas
20/5/75

Attested
Abbas
M. Agarwal P.D.L.

ANNEXURE-A-42

128

To

The Director,
Doordarshan Kendra,
Dibrugarh

Sub:- Non availability of office
Vehicle

Sir,

I have been ordered to assist Mr. S. Chandra, Cashier on the salary day to distribute the cash amount. On 31st May, 95 I gave a car requisition signed by you to drop me at the Public Bus Stand at 5:15 P.M. The communication between Dibrugarh & Tinsukia is uncertain after 5 P.M. After distributing the cash amount when I came out I could not find any vehicle upto 9:30 P.M. At last, I reached ~~ask the said~~ ^{to see} home by a tonga at 9:00 P.M. with the help ~~of~~ ^{at first} of traffic police.

So, I request you kindly to look into this matter and take necessary action against the guilty person.

With regards

Dated, the 3rd May, 95

Yours faithfully
Brijesh Patel, LDC

DSO, Dibrugarh

Attested

Sufi Patel

ANNEXURE-A-43

129

138

To

The Director,
Dibrugarh Head Office,
Dibrugarh

Sub:- Non availability of Office
Vehicle

Sir, Shri S. Paul, LDC was

[Lieutenant Chakraborty, Passes] on the 31st day to distribute the cash amount. On 31st May, 95 I gave a co-signation signed by you. He drove me at the Public Bus Stand at 5:30 P.M. The communication between Dibrugarh & Tinsukia is uncertain after 5 P.M. After distributing the cash amount when I came out I could not find any vehicle upto 9:30 P.M. At last I reached ~~home~~ ^{the said} home by a trolley at 9:15 P.M. with the help ^{ever to see} of traffic police.

So, I request you kindly to look into this matter and take necessary action against the guilty person.

With regards

Dated the 31st May 95

Yours faithfully
S. Chakraborty, LDC

D.S.B. Dibrugarh

Attested

Sulaiman
Sulaiman
Medical & Health Officer
Mr. Agomani D.H.C.

Extract from the Constitution of India

130

130

39-A. Equal justice and free legal aid.—The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

ART. 1226. Power of High Courts to issue certain writs.—(1) Notwithstanding anything in Article 32, every High Court shall have power, throughout the territories in relation to which it exercises jurisdiction, to issue to any person or authority, including in appropriate cases, and Government, within those territories directions, orders or writs including writs in the nature of *habeas corpus*, *mandamus*, prohibition, *quo warranto* and *certiorari*, or any of them for the enforcement of any of the rights conferred by Part III and for any other purpose.

(2) The power conferred by clause (1) to issue directions, orders or writs to any Government, authority or person may also be exercised by any High Court exercising jurisdiction in relation to the territories within which the cause of action, wholly or in part, arises for the exercise of such power, notwithstanding that the seat of such Government or authority or the residence of such person is not within those territories.

(3) Where any party against whom an interim order, whether by way of injunction or stay or in any other manner, is made on, or in any proceedings relating to, a petition under clause (1), without—

(a) furnishing to such party copies of such petition and all documents in support of the plea for such interim order; and

(b) giving such party an opportunity of being heard, makes an application to the High Court for the vacation of such order and furnishes a copy of such application to the party in whose favour such order has been made or the counsel of such party, the High Court shall dispose of the application within a period of two weeks from the date on which it is received or from the date on which the copy of such application is so furnished, whichever is later, or where the High Court is closed on the last day of that period, before the expiry of the next day afterwards on which the High Court is open; and if the application is not so disposed of, the interim order shall, on the expiry of that period, or, as the case may be, the expiry of the said next day, stand vacated.

(4) The power conferred on a High Court by this Article shall not be in derogation of the power conferred on the Supreme Court by clause (2) of Article 32.

ART. 15. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.—(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to—

(a) access to shops, public restaurants, hotels and places of public entertainment; or

(b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public.

(3) Nothing in this Article shall prevent the State from making any special provision for women and children.

(4) Nothing in this Article or in clause (2) of Article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

ART. 16. Equality of opportunity in matters of public employment.—

(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

(3) Nothing in this Article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory prior to such employment or appointment.

(4) Nothing in this Article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.

(5) Nothing in this Article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination.

Affected

J. C. J. D.

folks
M.B. 10/30/55

1. take up regularization of adhoc
postmaster Dafta, LB attendant, Cashier operator, St. Officer

2. Pl. takes steps for re-erecting Camp & posts¹⁰

3. Pl. write again for Co-operative Canteen

4. Pl. ~~not~~ recording file, about the action
for Canteenmen T. Ganesh who is unauthorised
absent for 9 months. Pl. refer our last letter.

5. Pl. arrange for shifting Cashier room to
1st floor (at present 16 room used by the drivers)
Before shifting pl. arrange the room as
per requirement of Cashier.

So. 10

A.O. may pl. see Ss. No. 3 ^{30/5} and 5 above.

Regarding 5, it is stated that a
year ago or so, meeting was
convened in S.D.'s room in which
①, S.E. (Gajin), Sr. A.O., Accountant
(R. H. Agarwala) were present. The
decisions taken were as
follows.

Act 1970/55
[Redacted]

— contd. 2.

132

A) Cash counter will be shifted to First floor of Admin Block, in which Diners, coffee etc. are placed.

B) Drivers ^{est 800m} will shift to ground floor in Cashier's Room, consequently

C) The Accounts Section on the ground floor will shift to First floor where Prod. Asstt. are sitting

D) Consequently, Prod. Asstt. will shift to ground floor in Accounts section.

E) Sr. A.O. will shift to Prog. Admin. Section in which only Two C.G.I's are working on First floor.

F) Consequently those Two C.G.I's will shift to Sr. A.O's Room.

Sr. M.5 ^{on page 11} covers the 'A' & 'B'.

C & D above is also to be implemented along with E & F.

The file covers is not available with Sr. A.O., H.C. & Acctt.

^{Attacted}
1/1/2015

ANNEXURE - II - 45

Whatever it may be, with the **133** arrival of A.O. and 3000 posts of Presl. Ass't., it has become very much necessary to implement these decisions.

We may therefore issue circular for implementation post.

SDS 3000 3000
Be discussed with A&E (DAS)
Since some may be shifted to Group 'A' SDS
Corry, Pl. consult A&E (DAS) SDS
SDS SDS SDS
SDS SDS SDS

A&E (DAS) may kindly like to confirm 'A' above.

3000
3000

A&E (D)

SDS

Affected
Ref. 1998
Central Board of Secondary Education
C. P. 1998 and 3. E. C.

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA:::DIBRUGARH

134

NO:MISC|DIB|95-S| 1124

Dated, Dibrugarh
the 2nd June 95.

O R D E R

The Drivers are hereby instructed to vacate their rest room with immediate effect and occupy the one of the room of guest house at T.V. Colony.

(M.C. RAJKHWA)
DIRECTOR

TO,

1. All Drivers.
2. Sr. A.O./A.O.
3. Accountant/Head Clerk.
4. Cashier.
5. Shri Shambhu Baruah, Graphic Artist,
Custodian of Guest Room in Staff Quarter.

Attested
[Signature]
Medical & Health Officer
Mr. Agomani P.X.I.C.

No. DIB/DDK/11(14) 95-S/

DL. 86
95

The D.P.G. (NE)

DDK Gauhati - 781024

(135)

144

Subject:- Proposal for transfer
of Sh. K. Rajbanshi, Driver.

Ref.- DDK, Itanagar letter no.

DDK/ITA/14(6)/94-S/

48/86 dt. 9.12.1994.

Sir,

Kind reference is invited
to the letter cited above, addressed
to you and copy endorsed to this
office by the Station Engineer,
Dordasghar Kendra, Hasnagar,
copy enclosed for ready reference.

2. It is proposed that Shri
K. Rajbanshi, Driver of this
office may kindly be transferred
to Dordasghar Kendra
Itanagar, if approved.

Attested

Jul 28/95
Medical & Health Officer
Assam P.T.O.

2...

- 2 -

136

due to some administrative
reasons vice one of the two
Drivers of that office.

Encl. as above.

T. f.

(M.C. RAJKHAN)

DIRECTOR

Copy to the S. E. (Sir
Mahadev Sharma, Sr. Ad.
by name) DAK, Itanagar.

2) Sr. Ad., DAK, Dibiyapukh.

~~SDP~~
R. S. G.

Attested

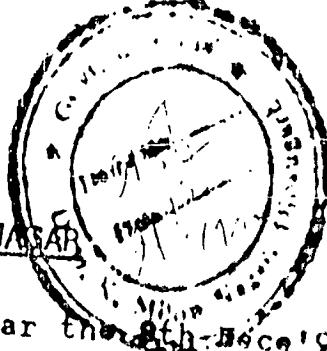
~~23/10/06~~
23/10/06

ANNEXURE-A (18)

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA :: ITANAGAR

NO. DDK/ITA/14(6)/94-S/18/86

Dated; Itanagar the 26th Dec 1994.



137

To,
The Dy. Director General (NER),
Doordarshan,
Doordarshan Kendra,
Min. of
R.G. Barua Road,
GUWAHATI - 781 024

2
M. Ray
Sir,

It is proposed to transfer 2 (two) Drivers from this kendra, for some administrative reasons. All the concerned station of DDK & AIR in NER are being requested to kindly intimate the vacancey position to accomodate them on transfer.

After receipt of confirmation, a mutually agreed proposal will be forwarded to you for further necessary action.

Yours faithfully,

5/—
(MAHADEV SARMAH)
SR. ADMINISTRATIVE OFFICER,
FOR STATION ENGINEER.

Copy to:-

All SDs, of Doordarshan Kendra & All India Radio in NER. They are requested to kindly intimate the vacancey position of Motor Driver so as to enable this office to approach DDG(NER) for issue of Transfer Order.

SR. ADMINISTRATIVE OFFICER,
FOR STATION ENGINEER.

0200022

Attested
N. D. Agarwal
Medical Officer
C. Agarwal

138

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA :: DIBRUGARH

NO. DDK/DIB/1(11)/95-96/585

Dated : Dibrugarh, the
4th May '95.

Brd

To,
The Chief Ticket Inspector,
N.F.Railway,
Dibrugarh.

Sub : Request for giving details of 1st Class
Reservation Sheet of 5908 DN Brahmaputra
Express dated 16-12-94.

Sir,

Kindly give us the details in respect of Shri G.
R. Deka who performed journey in 1st Class (with reservation)
by 5908 DN Brahmaputra Express on 16th of December, 1994.
Your co-operation is earnestly requested.

Thanking you,

Yours faithfully,

(M.C. RAJKHWA)
DIRECTOR

Attested
Deul Daima
Medical Health Officer
Mr. Agomani P.H.O.

16.12.94
On date 16.12.94
by 5908 on there is
not found in the
reservation Register
Shri G.R. Deka. This is
Sri R. Register. Chek this
Please give information
for your information
the ceremony

14.5.95
File No.

139

Shri R.N. Leka, RA has attained foundation training course at STI(R), Delhi. He submitted his RA Bill without Service order. A letter may be sent to the Director, Shillong asking for the Service order from Shri Leka.

Put up for SD's Order.

Rey
28/4

A letter may be typed & put up as

A/c
SDAO
Director.

Rey
28/4

Typed and put up for SD's kind
signature.

Rey
28/4
A/c
SD

Rey
28/4

NOTE - 3

Shri G.R. Leka, M.Tech has submitted his RA Bill of attending Departmental Competitive Exam. at Guwahati. He claimed 1st class (with reservation) fare for up & down without ticket no. and reservation sheet. A memo may be issued to him asking for ticket no. and reservation sheet.

Put up for SD's Order.

He may asked to submit his ticket no. & reservation sheet as.

Aftered Rey 28/4 Pl. write letter to fly station
and personally, see the reservation sheet.

Rey
28/4

Rey
28/4

1911-EX-RE-A-39-71

In connection to the initials, note it is to be said that Railway Assistant went to his Station and handed over the letter personally. According to the Chief Ticket Inspector of R.R. Railway, Dibrugarh, Mr. G. R. Sarker has not travelled by 1st Class on 16.11.1911 as there is no name like G. R. Sarker in the Reservation Sheet. **(140)**

Therefore from \overline{SBR} it may be as follows:

By Night Super \Rightarrow Rs. 120/-
 By Plain (2nd Class) \Rightarrow Rs. 155 = 10/-
 By n (1st Class) \Rightarrow Rs. 441 = 10/-
on 16-12-94.

Put up for S.D. to find information
necessary action.

I) It is unfortunate and sorry state of affairs on the part of the Dealing Assistant and the Accountant to bypass S. H.C. and submit the file directly to S.D. as it would be seen from the passage in the

affested

~~Subhagopal II~~ Now the file is submitted
to Sir A.C. after finding

it from the Railway Authority 49 (P)
that the name of Shri G.L. Deka
is not found in the relevant Reservation
Register vide note dt. 4.5.95 on
original letter No. PUK/DRG/1 (11) 5-3
585 dt. 3.5.95. 141

III) It means that Shri G.L. Deka
did not travel by First Class Rail
accommodation but claimed the
First Class Rail fare in his P.T.
Bill from Dibrugarh to Guwahati and
back. This is misconduct under para
No. (2) of sub para (2) of C.C. Conduct
Rule No. 3 [i.e. contains of "Notes on C.C.S.
(Conduct) Rules, 1964" published by S.I., MHA, D.P.R.A.C.
3rd edition, 1980] - page no. 26 of 1991 edition] which
reads as :- "The ... acts amount to mis conduct:-
(2) Infidelity, unfeathfulness, dishonesty
unjust enrichment, theft and fraud, or
dishonesty in connection with the employ
business or property."

IV) As the fraud is proved with the
documentary evidence, he may be issued
charge sheet.

V) Shri Karanbekar, S/o A.O. may be
appointed as an Inquiry Officer
with the concurrence of the S.D. D.R.C.
Guwahati and D.D.C. (CNE) to ensure
impartial judgment and inquiry.

VI) Shri V.P. Bhattacharjee S/o A.O., D.D.R.C.
Dibrugarh may be appointed as
presenting officer.

P.C. 6
75 Attested Submitted for approval. J.P.

~~Sub. J.P. 95~~

S.D. J.P.

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA ; DIBRUGARH

ANNEXURE-A-49-V

NO. DIB/DDK/1(11)/Tour/93-94/ 3914

Dated: Dibrugarh
the 1st Nov 93

142

M E M O

* * * * *

Mr. G.R. Deka Mast Technician was required to proceed on tour to Dimapur to attend urgent work there as per telegram received on 14th Oct '93. Considering his convenience tour was decided on 17th then it was changed to 18th for his personal reasons and Station Engineer, Doordarshan Maintenance Centre, Dimapur was informed telegraphically. Upto 20th Oct he avoided taking the tour Order and when the tour order was handed over personally, he avoided going on the pretext of illness. On 29th Oct he was called and asked to proceed on tour. He has refused going to Dimapur. This all shows his reluctance from duty. He may explain within a week why disciplinary action shouldn't be taken against him as Civil Conduct Rules.

8/1

(S. P. JAIN)
STATION ENGINEER

To,
Shri G.R. Deka,
Mast Technician
Doordarshan Kendra,
Dibrugarh.

Copy to :-

1. The Station Engineer, Doordarshan Maintenance Centre, Dimapur.
2. The Senior Accounts Officer, DDK, Dibrugarh.
3. Personal File of Shri G.R. Deka, Mast Tech, D.K., Dibrugarh.

Affected

Q. P. Bhuteria
Sr. Administrative Officer
Doordarshan Kendra
DIBRUGARH

(S. P. JAIN)
STATION ENGINEER

Affected

Medical & Health Officer
Dr. Agomani P.H.C.

**CENTRAL CIVIL SERVICES
(RECOGNITION OF SERVICE ASSOCIATIONS)
RULES, 1993**

RELEVANT EXTRACT

*G.I., Dept. of Per. & Trg., Notification
No. 2/10/80-JCA (Vol. IV), dated the 5th November, 1993

6. Conditions subject to which recognition is continued.—Every Service Association recognized under these Rules shall comply with the following conditions, namely:—

- (a) the Service Association shall not send any representation or deputation except in connection with a matter which is of common interest to members of the Service Association;
- (b) the Service Association shall not espouse or support the cause of individual Government servants relating to service matters;
- (c) the Service Association shall not maintain any political fund or lend itself to the propagation of the views of any political party or a member of such party;
- (d) all representations by the Service Association shall be submitted through proper channel and shall be addressed to the Secretary to the Government/Head of the Organization or Head of the Department or Office;
- (e) a list of members and office bearers, and up-to-date copy of the rules and an audited statement of accounts of the Service Association shall be furnished to the Government annually through proper channel after the general annual meeting so as to reach the Government before the 1st day of July each year;
- (f) the Service Association shall abide by, and comply with all the provisions of its constitution/bye-laws;
- (g) any amendment in the constitution/bye-laws of the Service Association, after its recognition under these Rules, shall be made only with the prior approval of the Government;
- (h) the Service Association shall not start or publish any periodical, magazine or bulletin without the previous approval of the Government;
- (i) the Service Association shall cease to publish any periodical, magazine or bulletin, directed by the Government to do so, on the ground that the publication thereof is prejudicial to the interests of the Central Government, the Government of any State or any Government authority or to good relations between Government servants and the Government or any Government authority, or to good relations between the Government of India and the Government of a foreign State;
- (j) the Service Association shall not address any communication to, or enter into correspondence with, a foreign authority except through the Government which shall have the right to withhold it;
- (k) the Service Association shall not do any act or assist in the doing of any act which, if done by a Government servant, would contravene any of the provisions of the Central Civil Services (Conduct) Rules, 1964; and
- (l) communications addressed by the Service Association or by any office-bearer on its behalf to the Government or a Government authority shall not contain any disrespectful or improper language.

Attached

21/10/96
Medical & Health Officer
Mr. Agomani P. A. G.

DUTIES AND RESPONSIBILITIES OF OFFICERS AND STAFF OF DOORDARSHAN KENDRAS

The most important duties attached to the various posts in Doordarshan Kendra are given below. The duties should not be deemed to be exhaustive.

The distribution of work among the staff at a Doordarshan Kendra should be made by the Director generally in conformity with the details indicated below. Suitable minor changes may, however, be made by the Director in accordance with the requirements and certain local conditions.

Any important deviation should have the prior approval of the Director General.

Director

The Director is the head of the Kendra. He/She is responsible for the efficient working of the Kendra and its branches. His principal duties are as follow:

(i) Supervision : He supervises the working of the Kendra in all aspects.

(ii) Overall control of programmes : He allocates duties to the entire programme staff. He directs and supervises their work, guides and advises the programme staff on all matters concerning planning, production and presentation of programmes.

(iii) He examines and finally approves all programme schedules.

(iv) He suggests the lines on which the Directions issued from the Directorate on specific aspects of programmes should be implemented.

(v) He also advises action for short notice programmes on specific local problems of emergent nature affecting the people at large.

(vi) He gives final approval to the selection and engagement of all casual artists engaged by the Kendra. He scrutinises and accords financial sanctions to the payment of fees to the artists.

(vii) Overall Control of Administration and Accounts : Entire staff working at a Doordarshan Kendra is under his control. Certain administrative and financial powers are delegated to him and as Head of the Kendra he exercises these powers (See Vol. III-Appendix I) 'Delegation of Power'. If the Director of the Kendras is in the grade of Rs. 1500-2000 or above, he will have the powers of the Head of the Department under SRS/FRS, GPF/CPF Rules. Delegation of Financial powers Schedule V, and General Financial Rules. These, however, do not extend to special powers of the DG; Doordarshan.

(viii) He is the appointing and disciplinary authority in respect of group 'C' and group 'D' staff.

(ix) He is responsible for preparation of Budget and Revised Estimates, and exercises full control over the expenditure of the Kendra.

During the exercise of his administrative and financial powers, the Director would delegate sufficient powers to the incharge of other wings so that they can function with ease.

(x) Overall Responsibility : As head of the Kendra, he supervises/monitors the work of all categories of staff of all wings located at a Kendra. This includes programme, news, engineering and administration staff.

(xi) Relations with the State Government : For the successful function of the Kendra he maintains close liaison with various heads of State Government Departments and other Officials.

He attends important meetings, held by the State Govt. to which he is invited. He also attends important functions organised by State Govt. when some major schemes are launched.

(xii) Relations with Public : He keeps in close touch with artists, writers, social workers, agriculturists, industrialists, legislatures, scientists and secures their cooperation in devising and presenting different categories of programmes.

He attends important functions organised by some public institutions.

He undertakes tours of different places within his programme jurisdiction in order to meet the cross sections of people to know their opinion and also to discover talent of his area at his level.

(xiii) Relations with Press : He maintains close contacts with the Press and constant watch over press reactions. In the event of major wrong statements appearing in the press he removes contradictions by merely stating the factual positions.

(xiv) Advisory Committees : He convenes and conducts meetings of the various Advisory Committees attached to the Kendra. In the event of a Doordarshan Director being the senior most media officer in the State he has to convene, conduct and act as Chairman of the Inter Media Publicity Coordination Committee.

Attested
 Nalini P. D. P. S.
 Director & Head Office
 Agomam & S. S.

ANNEXURE-A, 52

145

151

No. 22/74/94-S.II
Government of India
Directorate General : Doordarshan
Mandi House, Copernicus Marg

New Delhi the 19th Sept, 1974

OFFICE MEMORANDUM

It has been noticed that in some Doordarshan Kendras, where Deputy Director of Administration and Senior Administrative Officer/Administrative Officer is in position, the duties falling under administrative nature are being performed either by Engineering or from Programme Cadre. This is not justified. The duties of administrative nature should invariably be allocated to DDA and or Senior A.O/Aif in position as envisaged in Manual.

2. The Head of Doordarshan Kendras are therefore advised to allocate duties of administrative nature only to DDA/Senior A.O/A.O as the case may be.

[Signature]
(A.N. SHARMA)

DY. DIRECTOR (ADMN.)

To

[Signature]
19/9/74.

1. All the Head of Doordarshan Kendras. (CPG/CPAS)
2. President, AIRASA, No. 45, OVM Street, Chepauk, Madras.
3. Section Officer, (S.II Section) DG: AIR.
4. Reference folder.

[Signature]
19/9/74
Attended
Medical & Health Officer
V. Agomani P.M.

ANNEXURE-A-53

BOOK STAFF COLONY WELFARE COMMITTEE, DIBRUGARH

A general body meeting of the colony welfare committee is proposed to be held on 14th June '95 at the residence of Beldator at about 7 P.M. So all are requested to attend the same.

Mr. Bhakat

*Discrepancy
13/6*

D. GONDOLOK)
SECRETARY
STAFF COLONY WELFARE COMMITTEE
DIPDARSHAN KENDRA
DIBRUGARH

Attested

Jul 1995

Asst. Secy. D.C.C.

4.2.49. Deputy Director (Administration)/Sr. Admin. Officer

The Deputy Director (Admin.) will look after the work relating to personnel administration (except that pertaining to Group 'D' Staff) and budget and financial control. He will be in overall charge of the entire Administrative and Accounts sections including Transport. (Where there is Sr. Admin. Officer in place of DDA, his duties will be the same as above).

4.2.50. Administrative Officer

The Administrative officer will function as Drawing and Disbursing officer. He will have direct responsibility for work relating to staff matters pertaining to Group 'D' staff (including casual labour), Transport section, General section and other house keeping jobs including upkeep of the Studio. Repair of cars will also be looked after by the Administrative officer in consultation with Superintending Engineer, wherever necessary.

Programme Administration: Checking and initialling every entry made in the Pay Order Book once when it is sent to the officer on duty and again after check with the Log Book on its receipt back from the officer on duty the next day, watch over delayed payments to artists and keeping a watch over the payments to artists and owners of copyrights are some of the important duties relating to administration of programmes.

Note:

1. Proposals for the purchase of stores requiring sanction of the Director/Superintending Engineer/Directorate will be routed through the DDA/SAO. Similarly proposals put up by the property/Scenic Section and other programme sections to Assistant Station Director/Deputy Director (Programmes) for their sanction will be routed through the AO.
2. All Administrative/Financial sanctions, after they are recorded on files by the Director/Sg. E will be communicated under the signature of DDA/AO respectively.
3. The duties of DDA will be performed in his absence, by the AO and vice-versa.

4.2.51. Head Clerk

He should assist the Officer incharge of Administration/Administrative Officer and will be incharge of establishment and items other than accounts e.g. Service Books and leave accounts of Non-gazetted Government Servants, Staff Artists, Maintenance of Statistical Registers and Books, inventories.

He should also assist the Administrative officer in supervision of work of Group 'D' staff posted in sections other than Engineering.

Heads of Sections should ensure there is equitable distribution of work between the Head Clerk & Accountant.

On occasions when the Accountant or Head Clerk is away on leave or one of the posts is unfilled, all duties attached to both the posts should be performed by the Accountant or Head Clerk as the case may be.

4.2.52. Accountant

1. The Accountant is responsible for the correct maintenance of all accounts, e.g. Cash Book, Contingent registers etc. and for the correct preparation and filing of all vouchers. He functions as a primary auditor. He is also responsible for the correct maintenance of various expenditure registers and preparation of expenditure statements, Budget/Revised Estimates etc. To enable him to perform these functions effectively he should be apprised of all orders, junctions etc. He should keep a watch on the control of expenditure and advise AO/Head of office in respect of all important proposals.
2. He should see that all orders, sanctions etc. affecting expenditure are entered in Sanction Register and payments noted against relevant junctions and when they are made.

Note: Junctions relating to petty, Contingent expenditure etc. by Head of office need not be entered in this register. Only those sanctions which cannot be watched through other registers need be entered.

3. The Accountant is also responsible for prompt and correct preparation of Commercial (Proforma) Accounts and maintenance of connected records & registers.

4. Reconciliation of cheques issued and encashed and reconciliation of expenditure/receipts is also the responsibility of the Accountant.

After Red

Subhajit
Medical & Health Officer
Mr. Agomani P.I./A

ANNEXURE-A55

148

CONFIDE



147
No. 110-6/3/15
GOVERNMENT OF INDIA
DIRECTORATE GENERAL : DOORDARSHAN

New Delhi, the 1st May, 1995
A.D.

CIRCULAR

CIRCULAR
Subject: Intrusion by Local Advocates into AIR, Agra
On 20th April, 1968
Advocate

On 20th April, 1995 at about 1200 hrs., about 20 local advocates reportedly brought AIR, Agra Station to standstill. The advocates entered the station in groups of two to three and suddenly struck by sounding the alarm of the station and shouting slogans in the AIR premises.

2. The advocates were agitating demanding a Bench of Allahabad High Court at Agra for over a month. It was reported in the press that 'from now on, Guerrilla tactics would used to shock everyone': they feel that the Government was paying a deaf ear for their peaceful Dharnas and wanted their demands to be projected through electronic media.

3. All India Radio and Doordarshan are soft targets for the anti-social elements who wish to use them to propagate their interests. Even though, the advocates had been peaceful and restrained, the very fact that they could bring the Station to a grinding halt demonstrates the susceptibility of our installations. It is observed that the security is taken in a very casual manner by all the staff members & regular as well as designated Security Officers are compelled to relax all security norms making the Stations a thorough fare to people of all walks. Surprise checks are not carried out and the Security Guards are not briefed on access control.

4. DG:AIK, DG: Doordarshan and Ministry of ISS have taken serious view of the incident. Through this circular all the Heads of Offices directed, to be extremely vigilant and careful about the security norms. Laxity on the part of any one should be viewed seriously and action should be taken in accordance with the rules so that such incidents do not repeat in future. Recurrence of any such lapse will be viewed as lapse on the part of the Head of Office and other Senior Officers.

5. This issues with the approval of DG.

(V. PURUSHOTHAM RAO)
DEPUTY DIRECTOR GENERAL (SECURITY)
ALL INDIA RADIO AND DOORDARSHAN
address

ALL Heads of Doordarshan Kendras

Officers of DG: Doordarshan.

Affected

Reel 19015

149

POLICE PROTECTION:-

WHEN AND WHY ?

- JUSTICE - JUDGEMENT
- Sidhhartha Keshavut - Thane

There must be restrictions on democracy. Democracy does not mean autocracy. For the sake of industrial progress of any business organisation, it is very essential to have discipline amongst workers unions and workers. This is not understood by many of the workers unions in our land as yet. If such cases are described in chronological order; the workers Unions in Kerala will be topping the list.

There is a Kerala Spinners Mills Ltd. Co. in Kollapuram in Kerala. The Company sells fabric threads in home and abroad. About 900 workers are working in this Company who are represented by five workers Associations. All of these Associations demanded 50% Bonus for the Financial year 1992-93. When the Co- was agree to give 11% Bonus instead of 50% the workers staged agitation, which ultimately resulted in violence. The workers gheraoed the Chief Officer and forcibly obtained his signatures on blank papers and also damaged the company's premises and property. Thereafter the Company declared its closed down.

The Company for seeking security approached the High Court after denial by the police authority to provide protection to the officers of the Company and for the transportation of its goods. The High Court directed the Police authority to provide protection to the officers of the said Company and for its property and also to ensure that the workers do not disturb the to and fro transportation of raw materials as finished products of the Company. One of these five workers unions, filed an appeal before the High Court Branch in Kerala, against the said order.

The Workers Association appealed that, though its a fact there is a violence in the company, but all the workers are not involved in it. Violence will get encouragement if the company is allowed transportation of its goods.; which will adversely affect on the workers demand of salary etc. Therefore, the High court should not order police protection of the company, So easily. Otherwise the side of the management will be stronger while entering in to mutual negotiating agreement.

After examining all the relevant facts that the Chief Officer was gheraoed and locked up for 12 hours, forced him to sign papers by threatening him of life. Thereafter workers damaged the Company's property. Under these circumstances, it is not wrong

Contd 2

Attested

Raj. P. M. S.

:: (2) ::

150

if the Company has requested for police protection to avoid loss of life and further damages to company's property. Though immediate protection is not given by the law and order authority, the High Court has a power under Article 226 of the Constitution to take the decision about police protection considering the relevant facts. If violence is likely to take place and police protection is not likely to be made available it is necessary for the company to adopt some legal methods for its right to police protection. It is the responsibility of the Government to provide protection to the citizens and their property. The courts have also the responsibility & powers to give directions to police authority under which circumstances the police protection is given. The court has to consider the aspects like the present prevailing conditions, the behaviour of the workers in the past and the fear felt by the management. If in the past, workers attempted to violence, then it would be wrong to say that the police protection, made available to the management, will strengthen its side. On the contrary the side of the workers will be more strengthen and aggressive. It is the task of the court to see that both the sides are kept so balanced that they would be prepared for negotiations and industrial peace is established.

The court further added that the Company had got supply orders for their goods from the country and abroad, which were to be completed within specified period, failing which it will adversely affect the business of the company and the company will have to pay heavy compensation the raw material will be wasted and the company will be bankrupt. The Company will suffer a heavy loss if the case of dispute between the workers and company will be pending in the court for a longer period, if the raw material and finished products are stocked, as it is. Therefore it is necessary to have protection in transportation of raw material and finished products. The dues of the workers can be met from the other property of the Company, for that it is not necessary to hold up the raw materials and finished products of the Company.

The High Court set aside the appeal of the workers organisation and reiterated its decision taken earlier.

(Reference :- LLJ - October, 1994)

Attested

Jul 1994
Social & Health Office
Mr. Agarwal P.M.C.

Extract from Marathi SAKAL
Daily News paper published from Pune.
Dt. 15.11.94

८/ सकाळ : मंगळवार, १५ नोव्हेंबर १९९४

लो कशाहीवर मर्यादा असाध्यात, लेक्षाही म्हणजे बेबंदशाही नाही आणि कोणत्याही औद्योगिक संस्थेची प्रगती व्यवस्थाची असेल तर त्यासाठी कामगार संघटना आणि कामगार यांचामध्ये शित असणे आवश्यक आहे, हे अद्यापि आपल्याकडील बन्याच कामगार संघटनाच्या लक्षात आलेले नाही. यामध्ये क्रमवारी लव्याची झाली तर केरळमधील संघटनाचा क्रमांक बराच वरचा लगेल.

केरळातील कोमलापुरम येथे केरळ स्मिन्स लि. ही गिरणी आहे. कंपनीतर्फे कापडाच्या धाराची देशात, तसेच पान्द्रेशातही विक्री करण्यात येते. कंपनीमध्ये सुपर ९०० कामगार आहेत आणि त्यांचे प्रतिनिधित्व पाचे कामगार संघटना करतात. १९९२-९३ या अर्थिक वर्षासाठी या सर्व संघटनांनी एकूण ५० टक्के बोनसवी माणगणी केली. कंपनीने पत्रासेवेजी अकरा टक्के बोनस देण्याची तयारी दर्शविली तेव्हा कामगारांनी अदोर्नाल मुरवात केली. त्याची परिणीती अखेर हिसाचारामध्ये झाली. कामगारांनी मुख्य अधिकाऱ्याला घेणव घातल्य व त्याच्याकडून जवारदस्तीने काही कागदावर सहा करून घेतल्या आणि मालमत्तेची तोडफोड केली. त्यानंतर कंपनीने टाळवांदी जाहीर केली.

कंपनीच्या अधिकाऱ्यांना संरक्षण मिळावे, तसेच कंपनीच्या मालाची वाहतूक वरण्यासाठी मंदत मिळवी ही कंपनीची विनंती पोलिसांनी नाकारल्यानंतर कंपनीने मुंदीसाठी उच्च न्यायाल्यात घाव घेतली. एकूण परिस्थितीचा विचार केल्यानंतर

पोलिस संरक्षण : का व कधी ?

न्यायाल्याने सांगितले, की पोलिसांनी कंपनीचे अधिकारी व मालमत्ता यांना संरक्षण द्यावे, तसेच कच्चा मोल व पक्का माल यांची कंपनीच्या आत व बाहेर वाहतूक करताना कामगार प्रतिबंध करणार नाहीत, याची पोलिसांनी दक्षता व्यावी. कंपनीतील पाच कामगार संघटनांपैकी एकीने त्याविरुद्ध केरळ उच्च न्यायाल्याच्या खंडपीठाकडे अपील केले.

न्यायाल्यात कामगार संघटनेतर्फे असे

न्यायदिवांग

प्रतिपादन करण्यात आले, की हिसाचार झाल असल्य हे खेरे असले तरी त्यामध्ये सर्व कामगार गुंतलेले नाहीत. कंपनीला मालाची वाहतूक करण्याला भोक्तीक मिळाली तर हिसाचाराला विथावणी मिळेल. कामगारांच्या पागर वारौ अर्थिक माणगणावर प्रतिकूल परिणाम होईल. न्यायाल्याने असे राहजासहजी व्यवस्थापकाला पोलिस संरक्षण देऊ नवे. अन्यथा सामूहिक सौदेबाजीवेळी व्यवस्थापनाची बाजू वरचढ होईल.

सर्व पुण्यांचा अभ्यास केल्यानंतर उच्च न्यायाल्याने सांगितले, की मुख्य अधिकाऱ्याला घेणव घालण्यात आल व बारा तास त्यांना कोऱून ठेवण्यात आले. मुख्य अधिकाऱ्याला तार मारण्याची धमकी देण्यात आली आणि त्या धमकीखाली

त्यांच्याकडून काही कागदपत्रांवर सध्या घेण्यात आल्या. त्यानंतर कामगारांनो कंपनीच्या मालमत्तेचे नुकसान केले. अशा वेळी अधिक नीवित व विताहानी होऊ नवे म्हणून संरक्षण गिळावे अशी जग व्यवस्थापनाने पोलिसांकडून अपेक्षा ठेवली तर त्यामध्ये काही चूक नाही. कंपनीने मागितले तर उच्च न्यायाल्याने घटनेच्या कलम २२६ खाली लगेच व्यवस्थापनाला पोलिस संरक्षण वहाल करावे, अशी

सिद्धार्थ केशवसुत

ठाणे

कायद्याची अपेक्षा नसली तरी परिस्थितीचा विचार करून यावाचत योग्य निर्णय घेण्याचा उच्च न्यायाल्याला हक्क आहे. हिसाचार होत असेल आणि पोलिसांची मदत मिळत नसेल तर संरक्षणाचा आपले हक्क राबविण्यासाठी काही कायदेशीर मार्ग व्यवस्थापनाला उपलब्ध असणे आवश्यक आहे. नागरिकांना व त्याच्या मालमतेला संरक्षण देणे ही सरकारी जवाबदारी आहे. पोलिसांना तशा सास्तांगे आवेश नोणाऱ्या परिस्थितीत द्यायचे, याचा योग्य विचार करून तसा निर्णय देण्याचे न्यायाल्याचे कर्तव्य आहे. सध्याची स्थिती, कामगारांचे पूर्वीचे वर्तन, व्यवस्थापनाला वाटणारी भीती योग्य का अयोग्य, या गोष्टी न्यायाल्याला विचारात घायल लागतील. कामगारांनी पूर्वी

हिसाचार केला आहे म्हणून जर न्यायाल्याने व्यवस्थापनाला संरक्षण दिले तर त्यामध्ये व्यवस्थापनाची बाजू वरचढ होईल असे म्हणणे नव्हीचे आहे. उल्ल संरक्षण न दिल्यास कामगारांची बाजू अर्थक वरचढ व आप्रक्रमक होईल. दोन्ही बाजू समतोल रागवून त्या बाटाधाटीसाठी तयार होतील या औद्योगिक शांतता प्रस्थापित होईल हे बघणे न्यायाल्यांचे कर्तव्य आहे.

न्यायाल्याने पुढे सांगितले, की कंपनीला देश, तसेच विदेशांमधून मालाच्या माणगणी आलेल्या होत्या अणि त्या उत्तरिक कर्त्तव्यात पूर्ण करणे बंधवकारक होते. त्या पूर्ण न झाल्यास कंपनीच्या धंद्यावर विपरीत परिणाम होईल, तसेच कंपनीला नुकसान पराई धारी लगेल. कज्चा पाल वाया जाईल आणि कंपनीचे दिवाळे निघेल. कामगार व कंपनी यांच्यातील वाद न्याय माणाने मिटेपैकी कच्चा व पक्का माल तसाच पडू दिल तर कंपनीचे कंवरडे भोडेल. त्यामुळे कंपनीचा कच्चा व पक्का माल यांच्या वाहतूकीला संरक्षण मिळणे आवश्यक आहे. कामगारांनी देणी कंपनीच्या अन्य मालम्यतेनुसारी देता येणील व त्यासाठी कंपनीचा माल अडकवृत्ती ठेवण्याची आवश्यकता नाही.

उच्च न्यायाल्याने संघटनेचे अपील फेटाळून लवले व पूर्वीचा निर्णय कायद केला. (संदर्भ: एलएलजे ऑफिसर १९९४)

Affected
Jul 1995
Medical & Health
Dr. Anand P. J.

STATEMENT OF BACKLOG VACANCIES OF
SC/ST AGAINST WHICH GENERAL CANDIDATES ARE
RECRUITED

	SC	ST	Ph	GEN.	Total
① Production Asstt = (12 posts)	①	2	9	8	12
② Property Asstt = (2 posts)				2	2
③ Make-up Asstt = (2 posts)	①			1	2
④ Film/Video Editor = (3 posts)				3	3
⑤ Graphic Artist = (2 posts)				2	2
⑥ Floor Manager = (3 posts)	①			2	3
⑦ Librarian (News/Film) = (1 post)		1			1
⑧ Floor Asstt = (8 posts)	①	1	5	5	8
⑨ Carpenter = (2 posts)		①		1	2
⑩ Painter = (2 posts)				2	2
⑪ Tailor = (1 post)					

Note: ① Figures in circles indicate Vacancies
Researched for SC/ST category.

② Figures in squares with question marks
indicate Vacancies reserved for SC/ST
affeted but not filled up by the reserved candidates
SC/ST and filled up by General Candidates.

NOTE

No. DDK/DIB/88/AO/1/

153

16-6-1995.

As per advertisement published in the ^{16/2} Daily 'Assamachal Times' dt. 26.9.92, this Kendra Declared Reserved Vacancies as under-

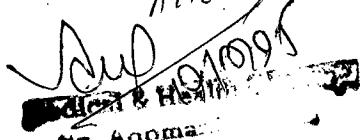
	Total	SC	ST	General	B
1) Production Asstt.	12	1	2	* 9	1ST
2) Property Asstt.	2	-	-	2	-
3) Make up Asstt.	2	1	-	1	1SC
4) Film V. Editor	3	-	-	3	
5) Graphic Artist	2	-	-	2	
6) Floor Manager	3	-	1	2	
7) Librarian	1	-	-	1	
8) Flower Asstt.	8	1	1	* 6	1ST
9) Carpenter	2	-	1	1	
10) Painter	2	-	-	2	
11) Tailor	1	-	-	1	

Up to now all the posts mentioned above are filled up. In addition 2 more posts of Prod. Asstts filled up, but there is back log as under.

- A) S.T. - One Prod. Asstt. - Now no vacancy
- B) S.C. - One Make up Asstt - Now no vacancy
- C) S.T. - One Floor Asstt - Now no Vacancy

As these are Roster prints declared in the year 1992 i.e. before 8.9.93, these are required to be carried forwarded and no Roster will start thereafter. Thus the vacancy of Floor Manager may be allotted to ST, with the approval of Dr.G. and ~~One~~ prod. Asstt may be transferred as the concerned P.A. has already applied

Attested


 A signature in black ink, appearing to read "JUL 10 1995", is written over a rectangular stamp. The stamp contains the text "D.D.K. & H.O.D." and "P.A. Agomai".

That vacancy of Post Ass't. may be allotted to backlog ST. One of the Final Ass't or any other category staff may be got transferred and that vacancy may be filled up by backlog SC candidates.

A.O. may pl. see for ~~sample~~ ^{necessary} action in future, in my absence.

16/6/95

A.O.

Enc. P

SD

P. K. S. Discd with S.D. HC
16/6/

The instructions in C.I. Deptt. pl. SPLC of per. d.Trg.O.M. No 3612/13/88-EA (SCT) dt. 22.5.89 i.e. para 3 on page 16 of the Swaraj's complete Manual on 245 in the Swaraj's complete Manual on Establishment & Admin., indicates that SC ST Candidates also are selected on their own merit along with the candidates of other communities will not be adjusted against the segregated vacancy.

16/6/95

SD

The said Rule is retained by S.D. along with other rule
P. K. S.

Affected

Jul 19/07/95

Modi & Hebbal

Ms. A. A. Somani J.

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH. :::: GUWAHATI - 5

O.A.139/95

Sri Vasant Bhalerao ... Applicant
-VS-

Union of India & Ors. ... Respondents

P R E S E N T

THE HON'BLE JUSTICE SHRI M.G.CHAUDHARI, VICE CHAIRMAN
THE HON'BLE SHRI G. L. SANGLYINE, MEMBER (ADMN).

For the Applicant ... In person

For the Respondents ... Mr. A.K. Choudhury,
Addl. C.G.S.C.

Sd/- VICE CHAIRMAN
Sd/- MEMBER (ADMN)

Memo No. :

Date :

Copy for information & necessary action to :

- (1) Shri Vasant Bhalerao, S/O. Shri Pitamber Bhalerao, resident of Qtr. No.C-18, Doordarshan Staff Qtrs., Dibrugarh.
- (2) The Secretary, Ministry of Information & Broadcasting, New Delhi-110 001.
- (3) The Director General, Doordarshan, Doordarshan Bhawan, Mandi House, Copernicus Marg, New Delhi - 110 001.
- (4) Mr. A.K. Choudhury, Addl.C.G.S.C., C.A.T., Guwahati Bench, Guwahati.

SECTION OFFICER (J)