

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 77/96.....

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SECTION OFFICER (Judl.)

MP No. (CA)
RA No. (DA)
CP No. (DA)

Sheikh Md. Farooq

APPLICANT(S)

VERSUS

MoI & ors.

RESPONDENT(S)

Mr. Bte Shamsa..... Advocate for the applicant.
M K Choudhury,
P C Kalita,

Mr. AK Choudhury, Addl. C.G.S.C. Advocate for the Respondents.

Office Notes

Court's Orders

The application is in
form and within time.
S. F. of Rs. 50/-
deposited vide
NOC/BD No. 345837
dated 22.5.96.

R. Prade
22.5.96

24.5.96

None for the applicant. Mr
A.K.Choudhury, Addl.C.G.S.C for
respondents.

List on 27.5.96 for considera-
tion of admission.

6
Member

pg

27.5.96

Learned counsel Mr M.K.Chou-
dhury for the applicant. Learned
Addl.C.G.S.C Mr A.K.Choudhury for
the respondents.

Heard Mr M.K.Choudhury for
admission. Perused the contents
the application and the reliefs
sought. The applicant has impugn
the Order No.7(2)/95-S (SMF)/288
dated 28.9.95 (Annexure-8). It has
been submitted that an appeal da-
ted 30.10.95 against the same has been
submitted and no reply has been
received even after reminders.
Application is admitted. Issue
notice on the respondents by
registered post. Written state-
ment within six weeks.

List on 15.7.96 for written
statement and further orders.

6
Member

pg

15-7-96

Learned counsel Mr. B.K. Sharma

for the applicant.

Written statement has not been submitted. List for written statement and further order on 7-8-96.

6
Member

lm

18.7.96

7.8.96

None present. Written statement

has not been submitted.

List for written statement and further orders on 3.9.96.

6
Member

pg

3.9.96

Mr A.K.Choudhury, Addl.C.G.S.C for the respondents. None for the applicant. Mr Choudhury prays for one month time to file written statement. Allowed.

List on 30.9.96 for written statement and further orders.

6
Member

pg

M
3/9

30-9-96

Learned Addl.C.G.S.C. Mr.A.K.Choudhury seeks one month time to file written statement.

List for written statement and further order on 14-11-96.

6
Member

lm

M
30/9

DA

77/96

6.3.97

10.3.97

Let the case be listed on 22.4.1996 for hearing.

No rejoinder has been filed.

None of the parties has filed their appearance.

or
6/3

6
Member

JK
Vice-Chairman

trd
JK
12/3

22.4.97

Let the case be listed on 27.5.97 for hearing.

1m

JK
2A/1A

6
Member

JK
Vice-Chairman

27-5-97

Left over. List for hearing on 23-7-97.

6
Member

JK
Vice-Chairman

1m

JK
29/5

23.7.97

Heard Mr B.K.Sharma, learned counsel for the applicant and Mr A.K.Choudhury, learned Addl.C.G.S.C for the respondents. Hearing concluded. Judgment delivered in open Court, kept in separate sheets.

The application is allowed in terms of the order. No order as to costs.

6
Member

JK
Vice-Chairman

pg

eed wide dates

to 2837 on

JK
x

written statement has
not been filed.

15.11.96

Mr A.K.Choudhury, Addl.C.G.S.
for the respondents prays for time
to file written statement.

List on 16.12.96 for written
statement and further orders.

Member

pg

18.12.96

None for the applicant.

Mr. A.K.Choudhury, Addl. C.G.S.C. for
the respondents seeks 4 weeks time to file
written statement.

List for written statement and further
orders on 17.1.1997.

Member

trd

17.1.97

None present. No written statement

filed.

List for written statement and
further orders on 13.2.1997.

Member

pg

10.2.97

W.S filed on 10/2
Respond. nos. 1-5.

13-2-97

Adjourned for order on 10-3-97

Member

Vice-Chairman

lm

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

O.A. NO. 77 of 1996.
T.A. NO.

DATE OF DECISION 23-7-1997.

Sheikh Muhammad Farooq

(PETITIONER(S))

Shri B.K.Sharma.

ADVOCATE FOR THE
PETITIONER (S)

VERSUS

Union of India & Ors.

RESPONDENT (s)

Shri A.K.Choudhury, Addl.C.G.S.C.

ADVOCATE FOR THE
RESPONDENT (s)

THE HON'BLE JUSTICE SHRI D.N.BARUAH, VICE CHAIRMAN

THE HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman.



CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 77 of 1996.

Date of Order : This the 23rd Day of July, 1997.

Justice Shri D.N.Baruah, Vice-Chairman.

Shri G.L.Sanglyine, Administrative Member.

Sheikh Muhammad Farooq,
U.D.C. Doordarshan Maintenance Centre,
Itanagar, Arunachal Pradesh. Applicant.

By Advocate Shri B.K.Sharma.

- Versus -

1. Union of India
represented by the Secretary,
Ministry of Information & Broadcasting,
New Delhi-1.
2. The Director General,
Doordarshan, Mandi House,
New Delhi.
3. The Deputy Director General,
Doordarshan, R.G.Baruah Road,
Guwahati-24.
4. The Station Director,
Doordarshan Kendra, Tura.
5. The Asstt. Station Director/Inquiring Authority,
(R.S.Kotowal),
Doordarshan Kendra, Tura. Respondents.

By Advocate Shri A.K.Choudhury, Addl.C.G.S.C.

O R D E R

BARUAH J. (V.C)

In this application the applicant has challenged Annexure-8 order dated 28.9.95 passed by the respondent No.4, Station Director, Doordarshan Kendra, Tura imposing the penalty of reduction of pay by 4 stages for a period of two years with effect from 1.10.95. The facts are :-

The applicant was an employee under the Doordarshan Kendra, Tura and at the relevant time he was an Upper Division Clerk in Doordarshan Kendra, Tura. On 24.7.95 an Enquiry Officer was appointed and thereafter memorandum

AB

of charges were issued asking the applicant to explain in writing in his defence and also to indicate as to whether he would be desirous to be heard in person. Accordingly the written statement was filed in his defence. Thereafter, the Enquiry Officer proceeded with the enquiry. During the enquiry on 15.9.95 the applicant alongwith his defence assistant entered the room of the Enquiry Officer however, he was not allowed to take part. Thereafter, the Enquiry Officer did not conclude the enquiry and sent the same to the disciplinary authority and on the face of such report the disciplinary authority imposed penalty. Being aggrieved the applicant preferred an appeal before the appellate authority and till now it is not known by him whether the appeal has been disposed of or not. Hence the present application.

2. In due course the respondents have entered appearance and filed written statement. In the written statement however, the respondents have denied that the appeal was not disposed of. According to them the appeal was disposed of on 17.12.96.

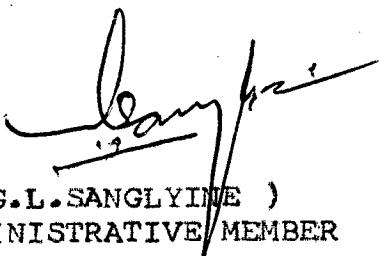
3. Heard Mr B.K.Sharma, learned counsel appearing on behalf of the applicant and Mr A.K.Choudhury, learned Addl. C.G.S.C for the respondents. Mr B.K.Sharma submits that the order of punishment is bad in law in as much as the disciplinary authority without there being any enquiry report and without any finding of the enquiry imposed the penalty. This according to Mr Sharma is contrary to rules besides, it is arbitrary and unreasonable. The Enquiry Officer himself by his letter dated 15.9.95 annexed to the written statement clearly states that the enquiry officer

203

could not complete the enquiry. The disciplinary authority also did not make an enquiry independently and without there being any enquiry as contemplated under the Rules punishment awarded to the applicant. Mr Sharma submits that this action is contrary to the provisions of Rules. Mr A.K.Choudhury is also unable to support the action taken by the disciplinary authority. The appellate authority also did not consider this aspect of the matter. In view of the above we are of opinion that the penalty imposed by Annexure-8 order dated 28.9.95 and the appellate order dated 17.12.96 annexed as Annexure-XXVI to the written statement are illegal and not sustainable in law. According we set aside Annexure-8 and Annexure-XXVI to the written statement.

The application is allowed.

Considering the entire facts and circumstances of the case however, we make no order as to costs.



(G.L.SANGLYINE)
ADMINISTRATIVE MEMBER



(D.N.BARUAH)
VICE CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH

(An application under Section 19 of the Administrative Tribunals Act, 1985)

128
20/MA/96
Title of the case : O.A. No. 77 of 1996

Sheikh Mohammad Farooq ... Applicant

- Versus -

Union of India & Others Respondents

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For use in Tribunal's office :

Date of filing : 20-5-96
Registration No. : 77/96

REGISTRAR

Received copy
All Chancery
Addl Cyl 3C
10/5/96

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH

O.A. No. 77 of 1996

BETWEEN

Sheikh Muhammad Faroog,
U.D.C. Doordarshan Maintenance Centre,
Itanagar, Arunachal Pradesh

... Applicant

AND

1. Union of India, represented by
the Secretary, Ministry of Information
& Broadcasting, New Delhi-110 001.
2. The Director General,
Doordarshan, Mandi House,
New Delhi.
3. The Deputy Director General
Doordarshan, R.G. Baruah Road,
Guwahati-24
4. The Station Director,
Doordarshan Kendra, Tura
5. The Asstt. Station Director/Inquiring Authority
(Shri R.S. Kotowal),
Doordarshan Kendra, Tura.

... Respondents

DETAILS OF APPLICATION

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

The application is directed against the order dated 28.9.95 issued by the Station Director, Doordarshan Tura imposing the penalty of reduction to a lower stage in the time scale.

2. JURISDICTION OF THE TRIBUNAL :

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

3. LIMITATION :

The applicant further declares that the instant application is filed within the limitation period prescribed under Section 21 of the Administrative Tribunals Act, 1985

4. FACTS OF THE CASE :

4.1 That the applicant is a citizen of India and as such he is entitled to all the rights, protections and privileges guaranteed under the Constitution of India.

4.2 That the applicant, at the relevant point of time was working as U.D.C. at Doordarshan Kendra (hereinafter referred to as the 'DDK') Tura. The applicant by an order dated 22.7.95 was transferred from DDK, Tura to Doordarshan Maintenance Centre, Itanagar. However, for reason now known to the applicant he was not immediately released.

4.3 That the applicant was served with an order dated 24.7.95 issued by the Station Director, DDK, Tura whereby it was communicated that Shri R.S. Kotowal, Assistant Station Director was appointed as Inquiring Authority to enquire into the charges framed against the applicant. It is pertinent to mention here that although he was served with the said order dated 24.7.95 no charges were framed against the applicant nor any charge-sheet was issued to him. It is apparent and clear that the respondents, by the said order dated 24.7.95, have put the horse behind the cart. It is also understood from the said order that the respondents were bent upon to penalise the applicant.

and that it was the reason as to why he was not released inspite of the order of transfer.

A copy of the aforesaid order dated 24.7.95 is annexed herewith as ANNEXURE-1.

4.4 That thereafter charge-sheet dated 2.8.95 was issued to the applicant. It was stated in the said memorandum of charge-sheet that the charge-sheet has been issued under Rule 14 of the C.C.S. (C.C.A.) Rules for major penalties. mere perusal of the same would show that the charges are vague and indefinite.

A copy of the charge-sheet is annexed herewith as ANNEXURE-2.

4.5 That immediately thereafter by an order dated 5.8.95 issued by the respondent No. 4, a Presenting Officer was appointed.

4.6 That the applicant filed his written statement on 14.8.95. In his written statement, the applicant denied all the charges framed against him.

A copy of the written statement is annexed herewith as ANNEXURE-3.

4.7 That the respondent No. 4 issued a memorandum dated 31.8.95, ^{for} wherein the parawise comments against the written statement of the applicant were appended.

A copy of the said memorandum was endorsed to the applicant and the applicant accepted the same as rejoinder of the respondents in the disciplinary proceeding.

Copy of the said memorandum dated 31.8.95 is annexed herewith as ANNEXURE-4.

4.8 That the applicant filed a list of witnesses on 12.9.95 before the Inquiring Authority. The applicant craves the leave of this Hon'ble Court to produce a copy of the said list of witnesses at the time of hearing of the application.

4.9 That prior to it, the applicant submitted an application before the respondent No. 4 for allowing him a defence assistant. The said prayer of the applicant was allowed and one Shri D.C. Dwivedi, Senior Engineering Assistant of DDK, Tura was appointed as defence assistant of the applicant.

4.10 That by a memorandum dated 11.9.95, the Inquiry Officer directed the applicant to be present alongwith his defence Assistant on 15.9.95 at 2.00 P.M. in the office room of the Station Engineer, DDK, Tura.

A copy of the aforesaid memorandum dated 11.9.95 is annexed herewith as ANNEXURE-5.

4.11 That on 15.9.95, the applicant alongwith his defence assistant presented themselves in the office room of the Station Engineer, DDK, Tura as directed by the Annexure-5 memorandum. On entering the room, the Inquiry Officer Mr. Kotowal said to the applicant that the applicant did wrong and that he does not want to listen any word from the applicant. The Inquiry Officer told the defence assistant of the applicant that he will not be allowed to plead for the delinquent and all that the defence assistant could do was to sit and observe the

case. The applicant and his defence assistant tried to convince the Inquiry Officer as well as the Presenting Officer that all the relevant procedures must be followed. The defence assistant informed the Inquiry Officer and the Presenting Officer that he has a right to plead and cross examine as per law. The Inquiry Officer then used unparliamentary words against the defence assistant as well as the applicant and both the Inquiry Officer and the Inquiry Officer left the room. The applicant and the defence assistant waited till 4.50 P.M. and when the Inquiry Officer did not turn up they left the place.

4.12 That on the same date, the applicant informed the respondent No. 5 in writing as to what had happened on that date. A copy of the aforesaid communication dated 15.9.95 is annexed herewith as ANNEXURE-6.

4.13 That the defence assistant by his letter dated 18.9.95 narrated the whole story to the respondent No. 4. Copy of the said letter was also endorsed to the respondent No. 3.

A copy of the aforesaid letter dated 18.9.95 is annexed herewith as ANNEXURE-7.

4.14 That thereafter to the shock and surprise of the applicant, he was served with an order dated 28.9.95 whereby penalty of reduction to a lower stage in the time scale was imposed on him. It was stated in the said order that the conduct of the applicant which had led to the departmental enquiry ~~were~~ warrant imposition of major

penalty. It was also stated that the enquiry got stalled by the applicatt as well as by his defence assistant on 15.9.95 and that the written statement filed by the applicant was duly considered. The penalty is said to have been imposed under Rule 11 of (V) of the C.C.S.(C.C.A.) Rules, 1965.

A copy of the aforsaid order dated 28.9.95
is annexed herewith as ANNEXURE-8.

4.18 That the applicant begs to state that Rule 11(V) of the C.C.S.(C.C.A.) Rules, 1965 specify penalties which may be imposed on a Government servant for good and sufficient reason. Reduction to a lower stage in the time scale of pay has been stated to be one of the major penalties in Rule 11(V) of the Rules. Rule 14 of the said Rules lays down the procedure for imposing major penalties. It is clearly stated that in the said Rule that no order imposing any of the penalties specified in clause (v) to (ix) of the Rule 11 shall be made except after an enquiry held in the manner provided in Rules 14 and 15. Rules 14 and 15 clearly lay down the procedure to be followed in such enquiry.

The applicant states that in the instant case the said procedures have ~~not~~ been given a complete good by Admittedly no enquiry has been held and the order of penalty has been imposed by the Respondent No. 4 (disciplinary authority) without any report from the Inquiry Officer. Even if any report was submitted by the Inquiry Officer to the departmental enquiry, the same was not furnished to the applicant. From whatever angle the matter is considere

the penalty imposed on the applicant is not in conformity with the rules and therefore, the order dated 28.9.95 of the cannot sustain in the eye of law.

4.16 That the applicant thereafter filed an appeal under Rule 23 before the appellate authority i.e. the respondent No. 3.

A copy of the appeal is annexed hereto and marked as ANNEXURE-9.

4.17 That the applicant states that the appeal was filed by the applicant on 30.10.95. Rule 27 of the Rules lays down that the ~~appellate~~ in an appeal against an order imposing any of the penalties specified in Rule 11 the appellant authority is to consider as to whether the procedure laid down in Rules has been complied with and if not whether such non-compliance has resulted in violation of any of the provisions of the Constitution of India or for failure of justice, and whether the finding of the disciplinary authority are warranted by the evidence on record, and whether the penalty is adequate, inadequate or severe. After considering this aspect, the appellant authority has to pass orders. More than six months have elapsed from the date of filing of the appeal and till no the said appeal has not been disposed of. The applicant filed a reminder by a registered post on 12.2.96 to the appellate authority endorsing copy of the said reminder to the disciplinary authority, but till date, the applicant hasn't received any response. Be that as it may, the applicant begs to state that he has not approached this Hon'ble Tribunal for a direction to dispose of the appeal. Since the impugned order of penalty is per se illegal, the applicant prays for quashing of the order of penalty.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS :

5.1 For that the impugned order of penalty is illegal per se. No procedure laid down by the C.C.S.(C.C.A.) have been followed and therefore the impugned order is liable to be set aside and quashed.

5.2 For that non-compliance of the procedures laid down in the rules has caused failure of justice. No proceeding can have been initiated on such vague charges.

5.3 For that the findings of the disciplinary authority have no basis and there is no evidence on record by which the findings can be substantiated. Further, the proceeding could not have been continued without first disposing of the representations dated 19.9.95 and 18.9.95.

5.4 For that the applicant having not been afforded any opportunity to defend his case the disciplinary authority could not have imposed any penalty on the applicant.

5.5 For that there was no report of the Inquiring Authority and without such report the disciplinary authority could not have passed any order of penalty. Even if the Inquiring authority has submitted some report to the disciplinary authority, same has not been supplied to the applicant and therefore, the disciplinary authority could not have passed any order of penalty. Even assuming but not admitting that the Inquiring Authority has submitted its report, such a report has no basis or evidence. In any event the disciplinary authority could not have given a finding without any evidence on record. It is inconcievable in service jurisprudence that a delinquent can be imposed a major penalty without affording him an opportunity of defending his case and without there being an enquiry worth the name.

5.6 For that the procedure adopted by the respondents in imposing the penalty and the unholy haste shown in the imposition of penalty make it clear that the respondents were bent upon to penalise the applicant. It was a pre-determined decision to impose penalty on the applicant and the applicant was asked to be present on 15.9.95 only to give an eye-wash of an enquiry. There is no enquiry worth the name and the disciplinary proceeding conducted against the applicant cannot be said to be a proceeding, in which even a subordinate officer offered pairwise comments on the written statement depicting bias and predetermined mind.

5.7 For that malafide is the foundation of the action of the respondents.

5.8 For that the action of the respondent Nos. 4 and 5 cannot stand the test of judicial scrutiny and therefore, the impugned order of penalty is liable to be set aside and quashed.

5.9 For that in any view of the matter, the present application deserves to be allowed.

6. DETAILS OF REMEDIES :

The applicant declares that he has exhausted all the departmental remedies by filing appeal under Rule 23 of the C.C.S.(C.C.A.) Rules (Annexure-9) and there is no other alternative remedy open to the applicant except by way of filing this application.

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

The applicant further declares that he has not filed any application, writ petition or suit before any other court, authority and/or any other Bench of the Hon'ble Tribunal nor any ~~other~~ such application, writ petition or suit is pending before any of them.

8. RELIEFS SOUGHT :

Under the facts and circumstances of the case, the applicant prays that this application be admitted and notice be issued to the respondents to show cause as to why the reliefs sought for in this applicant should not be granted, call for the records and after hearing the parties on the cause or causes that may be shown and on perusal of the records be pleased to grant the following reliefs :

- (i) To set aside and quash the order No.7(2)/95-S(SMF) 2887 dated 28.9.95 issued by the Station Director, DDK, Tura by which the penalty of ~~exemption~~ of reduction to a lower stage in the time scale has been imposed on the applicant ; granting all consequential benefits of salary etc.
- (ii) To quash the entire proceeding initiated vide memorandum of charge-sheet dated 2.8.95(Annexure-2)
- (iii) Cost of this application ;
- (iv) Any other relief or reliefs to which the applicant is entitled under the facts and circumstances of the case.

9. INTERIM ORDER PRAYED FOR :

The applicant does not pray for any interim order. However, the applicant prays that the instant application be disposed of expeditiously.

10.

The application is filed through Advocate.

11. PARTICULARS OF THE I.P.O. :

(i) I.P.O. No. 09-345837 (ii) Date 9.5.96
(iii) Payable at : Guwahati

12. LIST OF ENCLOSURES :

Asstated in the Index.

VERIFICATION

I, Sheikh Mohammad Farooq, aged about 32 years, son of Sheikh Baquaridar, presently working as U.D.C. Doordarshan Maintenance Centre, Itanagar, the applicant do hereby verify and state that the statements made in paragraphs 1 to 4 and 6 to 12 are true to my knowledge, those made in paragraph 5 are true to my legal advice and I have suppressed any material facts.

And I sign this verification on this the 5th day of May 1996.

Sheikh Mohammad Farooq

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA : TURA
BUHALATA

No. 7(2)95-3(SMP) / 5176

Dated : 24-7-95

O R D E R

WHEREAS AS Inquiry under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, is being held against Shri S.M. Farooq, U.D.C. of this Kendra.

AND WHEREAS undersigned considered that an Inquiring authority should be appointed to inquire into the charges framed against the said Shri S.M. Farooq, U.D.C.

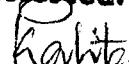
NOW THEREFORE, the undersigned, in exercise of the powers conferred by Sub-Rule (2) of the said rule, hereby appoints Shri R.S. Kotwal, Asstt. Station Director as the Inquiring Authority to inquire into the charges framed against the said Shri S.M. Farooq, U.D.C.


(R. S. KOTWAL)
STATION DIRECTOR
24.7.95

Copy to :

1) Shri R.S. Kotwal, A.S.D. DDK, Tura.
✓ 2) Shri S.M. Farooq, U.D.C. DDK, Tura.

Attested.



Advocate. 5-5-96

ANNEXURE 2

Standard form of charge-sheet for major Penalties.
(Rule 14 of CCS(CCA) Rules)

No. 7(2)/95-S (SMF) / 22 3-6,

Government of India,

Ministry of Information & Broadcasting
Doordarshan Kendra, Tura.

Dated the 2nd August, 1995.

MEMORANDUM

The undersigned proposes to hold an inquiry against Shri S. M. Farooq, U.D.C., under Rule 14 of the Central Civil Services (Classification Control & Appeal) Rules 1965. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure - I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

2. Shri S. M. Farooq is directed to submit within 10 days of the receipt of this memorandum a written statement of his defence and also to state whether he desires to be heard in person.

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

4. Shri S. M. Farooq is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 14 of the CCS(CCA) Rules, 1965, or the orders/directions issued in pursuance of the said rule, the inquiring authority may hold the inquiry against him ex parte.

Attested.

contd... 2/-

Khalid
Advocate. 5-5-96

5. Attention of Shri S. M. Farooq is invited to Rule 20 of the Central Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any Political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Shri S. M. Farooq is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the CCS (Conduct) Rules, 1964.

6. The receipt of the Memorandum may be acknowledged.

(B. K. MISHRA
STATION DIRECTOR)

To
✓ Shri S. M. Farooq, U.D.C.,
Doordarshan Kendra, Tura.

Copy to :-

1. Shri R. S. Kotowal, Inquiry Officer, DDK, Tura.
2. The Presenting Officer, DDK, Tura. (Mr. H. R. Rao, S)

Attested.

K. K. Mohanty

Advocate. 5-5-96

Statement of articles of charge framed against
Shri S. M. Farooq, U.D.C.

Article - I

That the said Shri S. M. Farooq while functioning as UDC (Store Keeper) during the period April, 1995 to June, 1995 disobeyed the office orders.

Article - II

That during the aforesaid period and while functioning in the aforesaid office, the said Shri S. M. Farooq "indulged in gross irregularity and negligence in the discharge of official duties with a dishonest motive".

Article - III

That during the aforesaid period and while functioning in the aforesaid office, the said Shri S. M. Farooq "breached the Security measures of the Vital Central Government Institution and thus implicated the watch and ward officials on duty on that days in the concocted abduction case".

ANNEXURE - II

Article - I

Shri S. M. Farooq, UDC(Store Keeper) was asked to handover charge of the Engineering Stores vide office Order No. TUA/2(13)/95-S dated 20.4.95 to the designated person by 26.4.95. Shri S. M. Farooq did not handover charge of the Engineering Stores by that specified date on one pretext or the other.

Article - II

Shri S. M. Farooq didnot keep the Engineering Stores records (Viz. Store Received Books, Store Issued Books, Store Ledgers, Defective Store Ledger, Register of Empties etc.) in readiness and did not submit those records to the Accounts Section from time to time as laid down in the Doordarshan Manual which is gross irregularity and negligence in the discharge of his official duties with a dishonest motive.

Article - III

Attested.

K. R. K. S.
At date. 5-5-96

contd... 2/-

Article - III

Shri S. M. Farooq concocted abduction case of himself on the night of 24th April, 1995 and stayed away from the residential accommodation allotted to him in the Doordarshan Colony in an deliberate attempt to substantiate his abduction case. The attempt was ill conceived and pre-planned with the intention of tarnishing the image of the Head of Office - cum Controlling Officer and others.

ANNEXURE - III

List of documents by which the articles of charge framed against Shri S. M. Farooq, UDC (Store Keeper) are proposed to be sustained.

1. Statement of Shri S. M. Farooq, UDC dated 26.4.95 and revised statement dated 26.4.95 (as narrated by him) regarding his purported abduction to the following officials of Doordarshan Kendra, Tura:-
 - (a) Shri B. K. Mohanty, Station Director,
 - (b) Shri P. Uma Reddy, Assistant Station Engineer,
 - (c) Shri D. C. Sarma, Accountant,
 - (d) Shri K. Sasidharan, Head Clerk.
2. His confession statement dated 1.5.95.
3. Office Order dated 20.4.95 reg. allocation of duties.

ANNEXURE - IV

List of witnesses by whom the articles of charge framed against Shri S. M. Farooq, UDC(SK) are proposed to be sustained.

1. Shri N. C. Koch, Security Guard on duty on that day and time.
2. Shri Ranjit Marak, Armed Guard of Meghalaya State police on duty on that day and time.

Attested.

Halit
Advocate. 5-5-96

ABDUCTION OF SHRI S.M.FAROOQ, UDC.

(As narrated by Shri S.M.Farooq, Store keeper in the presence of Shri P.Uma Reddy, ASE; Shri K.Sasidharan, Head Clerk and Shri D.C.Sharma, Accountant on 25.4.95 at 11.15 AM)

Incident on 24.04.95 (with cross notes):

01. Shri Farooq closed Engineering stores at 7.40 PM and came out of Office premises. Two unidentified hefty persons standing near the Flagpost in Office Campus accosted him and escorted him to main road, through the main gate of DDK, Tura to a waiting jeep, with another 3 persons in it. When asked, whether there was any Security Guard or Armed Guard at the main gate, at the time of his being taken by the two unidentified persons; Shri Farooq, stated that; the gate was found, unmanned at that time (which was subsequently found not to be true).
02. Shri Farooq was forced into the jeep; and was taken to the nearby Dakopgre play-ground and was asked questions about complaints allegedly made by him against Station Director. Shri Farooq pleaded innocence. Then, he was again forced into the jeep and taken to the lane leading to Tetengkhol, at the junction near Circuit House. On the way Shri Farooq noticed DDK Jeep returning after dropping local transmission shift staff at Public Health Engineering Office near Araimile. His mouth was cupped by his ~~■■■~~ abductors by hand when he tried to beckon the driver.

Shri Farooq was asked to sign a blank paper at that point, which he refused to do. Then he was blind folded, and taken to an unknown destination. (At that point Shri Farooq, noticed DDK Car passing after dropping ASD at Bus Stand).

03. Shri Farooq, felt that the Jeep crossed a bridge like that before Rongkhon.
04. Shri Farooq was kept captive in a dimly lit room with a red colour telephone. The abductors asked Shri Farooq to telephone to the Residence of Assistant Station Engineer and specifically asked not to ring to Station Director's residence, to inform that he is safe with friends. (Shri P.Uma Reddy, ASE informed the SD at around 10.40 PM on 24.04.95 that Shri Farooq, as told by him, was chased by three unknown persons and is taking refuge in a friend's house in the night).

Attested.

Kahlo
Advocate. 5-5-96

... 2 .

18

05. Shri Farooq, found all the five persons enjoying drinks and taking the chance again telephoned to ASE's residence at 11.30 PM that 5 persons are holding him in captivity. (At this point, when asked, why he did not inform SD, he stated that he was terrified and one person was watching him. But ASE said that when he asked whether to inform SD, Shri Farooq, didnot want so), ,

06. Shri Farooq was released by his abductors early in the morning of 25-04-95 in the same jeep at a point near Don Bosco School. From there, Shri Farooq came walking to Chandmari and telephoned to ASE from a lady's house at 6.30 AM on 25.04.95 that he has been released and as soon as he gets City Bus, he will report. Shri Farooq did not identify the lady or the house from which he telephoned in the morning to ASE. On being asked why he did not telephone to SD at that point, he avoided to reply.

07. Shri Farooq was asked to give the happenings in writing, so that proper investigation could be made, as this is a very serious matter in the history of Tura in general and DDK, Tura in particular.

Shri Farooq declined to give any written statement.

(B.K.MOHANTY)
STATION DIRECTOR

Statement & Cross notes made in our presence :

1) 26/4/95
(P.Uma Reddy, Assistant Station Engineer)

2) 26/4/95
(D.C.Sharma, Accountant)

3) 26/4/95
(K.Sasidharan, Head Clerk)

Attested.

Khalid
Advocate. 5-5-96

Revised statement of Shri. S.M. Farooq on 26.04.95 at 11.30 AM in the presence of Assistant Station Engineer, Head Clerk and Accountant regarding incident on 24.04.95.

While Shri Farooq was contacting for delivery of Fire Fighting Equipments over phone from ASE's residence, his wife came & reported that Mrs. Johnson is up-against her with a stick threatening to beat her up. Shri S.K. Sinha, AE who was present there asked him to report to the Station Director, but he declined to report and said that he will not return to quarters.

Shri Farooq then left ASE's quarter and went to Office and telephoned SD regarding Mrs. Johnson's threat. From Office, he went to AIR Colony to report to the Head Clerk about this who advised him to report the matter to SD and not to him. Shri Farooq then left AIR Colony and went towards a tea stall on the roadside. When he crossed main gate of AIR, he found two persons following him and asking him to stop. As, he was in tension, he ran towards press quarters. Finding four persons following him, he ran towards FHE Office, when he saw DDK Jeep crossing him. Shri Farooq reached near the Kendriya Vidyalayam and requested a Teacher to use the Telephone. The teacher said as the rooms were closed, he better go to Principal's residence for telephone.

Shri Farooq did not enter Principal's residence as there was a dog. He then approached a lady staying behind principal's residence from where he made a telephone call to Pradip Electricals at 8.30 PM requesting him to send a vehicle.

He then sat near a small shop for an hour or so, when he saw the car of Pradip Electricals passed. Again he found the four persons appear and in panic he took to his heels behind Kendriya Vidyalaya and reached Civil Hospital - where he spent the whole night and made all the telephone calls, as stated on 25.04.95 to ASE's residence (no change in contents).

In the morning of 25.04.95 after the last call at 6.30 AM to ASE, he took a city bus and went to Tura Bazar. He came to Office at 9.30 AM.

(B.K.MOHANTY)
STATION DIRECTOR

(F.Uma Reddy, Asstt. Station Engineer)

(K.Sasidharan, Head Clerk)

(D.C.Sharma, Accountant)

Attested.

Konita
Advocate. S-5-96

- 20 -
Government of India
Doordarshan Kendra Tura: 794001

No. TUA/2(13)/94-95/S/156 Dated Tura the 20th April '95.

OFFICE ORDER

The following assignments are hereby ordered in respect of Ministerial Staff working at this Kendra with effect from 26.04.95 until further orders:

The assignments are not exhaustive and any other assignments made from time to time in exigencies of service shall be attended to. All relevant files, documents should be completed by 25.04.95 and handed/taken over.

Pending works, if any, shall be reported to Head-Clerk / Accountant / Sr. Administrative Officer by 24.04.95 for further necessary action.

ADMINISTRATIVE SECTION UNDER THE SUPERVISION OF HEAD CLERK

01. Shri Samsuddin ALI, UDC

Supervision of Group 'D' Staff including Leave cases. To keep watch over Office block, Transmitter, Studio, ENG, Technical Areas etc. and shall ensure cleanliness of the above premises. Any damage/repair/loss etc. shall be reported to the Section Head for necessary action. Maintenance of priority list of Shift and Non-shift personnel separately and allotment of residential accommodation. Attending to Electricity, water charges, Holidays list etc.

02. Shri S. M. Farooq, UDC

Recruitments, Verification of character & antecedents, medical examination, posting/transfer/promotion, training and all other allied service matters of Gazetted & Non-Gazetted Officers. Pension & Gratuity, Welfare activities, Delegation of Power, maintenance of incumbency register, correspondence reg. additional posts, parliament questions etc.

03. Shri B. C. Hazarika, UDC

All leave cases of Gazetted and Non-gazetted Officers, maintenance of personal files, service books and leave accounts. maintenance of casual leave account, compensatory offs etc. Departmental Examinations, Confidential reports of all staff, probationary period, confirmation and EB crossings etc.

04. Shri K. Roy Choudhury, LDC

All statements/returns relating to Administrative section. processing of telegram/telephone/electricity bills. Renewal of abbreviated telegraphic address and post box etc. Seniority list of all staff, contingent paid staff, purchase of books & periodicals, payment to Armed Guards, Liveries of Group 'C' & 'D' Staff.

... 2 .

Attest.

K. H. Datta

Advocate. 5-5-96

05. Shri R. Gurung, LDC

General typing, filings and any other important nature of works assigned to him by Head Clerk & Accountant from time to time. Requisitioning and up-keep of Service postage stamps, purchase/maintenance/hire of furnitures, fittings, equipments, indexing, weeding and destruction of old records etc.

06. Shri L. Basan, LDC

Will look after the duties & responsibilities of transport section. Supervision of Drivers, preparation of duty charts, purchase of POL items, spare parts, tyres, tubes, battery etc. Attending to repairs/maintenance of Motor vehicle, maintenance of car/petrol log books, history sheets of tyres, batteries etc under the supervision of SAO/HC/ACCTT.

07. Smti. Sanjitha K. Marak, Stenographer (Jr. grade)

To attend to Administrative matters of Station Director, Diary/Despatch, routine typing works, filings etc

ACCOUNTS SECTION UNDER THE SUPERVISION OF ACCOUNTANT01. Shri Kajal Bhattacharjee, UDC

To assist the Accountant in the preparation of RE/BE, Proforma Accounts, Book debits, Audit objections, maintenance of appropriation registers, reconciliation of expenditure etc. TE(Tour/Transfer) bills/LTC/Medical bills, monthly quarterly, annual statements, Income Tax/Professional Tax etc

02. Shri Santosh Das, LDC

To attend to Increments, preparation of firm Salary bills, PP & SS bills, Festival/Cycle/Scooter/HBA advance maintenance of pay bill register etc.

03. Shri Subash Choudhury, LDC

Preparation of Salary/OTA bills, CCA, HRA, SCA, General Provident Fund subscriptions/recoveries, GPF advance, CGEGIS, PLI etc. Issue of Last Pay certificates and any other works/ correspondence relating to pay & allowances.

04. Shri Chiradeep Ghosh, LDC

Shall act as Cashier, maintenance of Cash book relevant registers & files, upkeep and safe custody of vouchers, maintenance of imprest accounts, firms payments, artist payment etc.

05. Shri P. Purkayastha, LDC

Purchase & issue of Stationary articles, purchase forms and registers, consumable stores etc. and maintenance relevant registers and files, Hospitality expenses, Identity cards, typings, filings pertaining to Accounts section and other works assigned by the Accountant/ Head Clerk from time to time.

Attested.

Franklin
Advocate. 5-5-76

ENGINEERING STORES UNDER THE SUPERVISION OF ASE/SE

01. Shri V.S. Johnson, UDC

Shall act as Store-keeper and will be responsible for purchase & issue of various Engineering stores, maintenance and upkeep of Machinery & Equipments, placing indents with suppliers/ manufacturers, maintenance of stores ledgers, SRBs, SIBs and other relevant registers and files etc.

02. Shri Anjan Kr. Deb, LDC

To attend to routine administrative work of Assistant Station Engineer/Station Engineer and to assist the Store keeper as and when required. typings, filings etc.

All the incumbents shall keep in readiness the Files, Registers and others records in their possession in neat and tidy condition before 25.4.95 and shall Handover/takeover the records pertaining to their assignments on 25.4.95(A/N).

Necessary handing over/taking over notes shall be prepared in triplicate and shall be signed by the charge relinquishing/assuming officials accordingly.

H.Rachid
(H.Rachid) 21/4/95
Sr. Administrative Officer
for Station Director

21/4

Attested.

Karlib
Advocate. 5-5-96

T.V.

Tarawar

Geet

Date 23/4

Ambarsen Sonigma (24 Hours) A. Sonigma

351 Ranjit Marak 18/10 1/11 12/12 Ranjit Marak
 3 Nichalash Marak 10/12 6/8 2/14 Nichalash Marak
 3 Baran Kti Htijang 12/12 8/10 4/16 Baran Kti Htijang
 Niresh Sonigma 2/14 10/12 6/8 Niresh. Sonigma

Govt Peaparty

(1) Rifle 5
 (2) Ammonition 250
 (3) Charpey 5
 (4) Lock 2
 (5) Duly Register 1

T.V. Tarawar Duly Date 24/4.

Ambarsen Sonigma (24 Hours) A. Sonigma

413 Nichalash 8/10 4/6 12/12 Nichalash
 33 Baran Kti Htijang 10/12 6/8 2/14 Baran Kti Htijang
 2 Niresh Sonigma 12/12 8/10 4/16 Niresh Sonigma
 51 Ranjit Marak 2/14 10/11 6/8 Ranjit Marak

Govt Peaparty

1) Rifle 5
 Ammunition 250
 Charpey 5
 Lock 2
 Duly Register 1

Attested.
 K. K. K. 5-5-96
 Advocate.

21

DUTY & DAY	SHEET OF	SECURITY	GUARD FOR THE	WEEK END ON	20-4-95		WEEKLY OFF	REMARKS
					MORNING SHIFT (0600 - 1400)	GENERAL SHIFT (1400 - 2200)	NIGHT SHIFT (2200 - 0600)	
MAY -95	S.G. MOMIN		P.T. SANGMA E.G. MOMIN			R.G. MOMIN N.C. KOCH		R.C. MARAK
MAY -95	P.T. SANGMA		R.G. MOMIN N.C. KOCH			R.C. MARAK E.G. MOMIN		S.G. MOMIN
MAY -95	N.C. KOCH		R.C. MARAK E.G. MOMIN			S.G. MOMIN R.G. MOMIN		P.T. SANGMA
ESTDAY -95	E.G. MOMIN		S.G. MOMIN R.G. MOMIN			P.T. SANGMA R.C. MARAK		N.C. KOCH
DAY -95	R.G. MOMIN		P.T. SANGMA R.C. MARAK			N.C. KOCH S.G. MOMIN		E.G. MOMIN
MAY -95	R.C. MARAK		N.C. KOCH S.G. MOMIN			E.G. MOMIN P.T. SANGMA		R.G. MOMIN
DAY -95	N.C. KOCH S.G. MOMIN		E.G. MOMIN P.T. SANGMA			R.G. MOMIN R.C. MARAK		N.T. SANGMA

Copy to : SD/AE/AE(S)/SGs/TR/OC.

N.T. SANGMA C/L 22 April 95 to 28 April 95.

S.K. SINHA
21-4-95
(S. K. SINHA)
SECURITY OFFICER,
FOR STATION DIRECTOR.

Attested.

K. K. Sinha

Advocate.

5-5-96

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA:::TURA
MEGHALAYA

No. TUA/7(2)/95-S/ (SMF)/

Dated Tura, 27th April '95.

MEMORANDUM

On 24th April '95 at around 10.00 P.M., Shri S. M. Farooq, U.D.C./& Store Keeper, informed the Assistant Station Engineer over phone that he had taken refuge at a friend's house after being chased by three unknown persons. Again Shri Farooq, telephoned to ASE., at around 11.15 P.M on the same day, that he had been under captivity by five unknown abductors at an unknown place from where he made the earlier call under threat.

The next day i.e. on 25.4.95, Shri Farooq, telephoned to ASE. at around 6.30 A.M. that he had been released by his abductors and would reach home as soon as city Bus Service resumes.

2. Shri Farooq, then narrated his plight of abduction from office campus from 7.40 P.M. of 24.4.95 to the morning of 25.4.95, in presence of ASE., Head Clerk & Accountant in the office of the undersigned at 11.30 A.M. of 25.4.95 and declined to submit a written statement, apprehending serious consequences from his unknown abductors.

The matter was informed to C.E(EZ) & DDG(NER) who advised for a detailed investigation and final report to be submitted to Director General, Doordarshan.

3. On 26.4.95, Shri Farooq, UDC, wanted to "confess" the exact happenings, and again, in the presence of ASE., Head Clerk and Accountant, narrated that while returning from AIR Colony, he was chased by three unknown persons and rushed to-wards Tura town in panic being followed by the chasers. He, took refuge in the Civil Hospital, the whole night and made all the calls from there. Shri Farooq, then went to Tura Bazar, from Civil Hospital and returned to Office at 9.30 A.M. on 25.4.95.

All the above statement/narrations are full of inconsistency and appear to be fabrications. This has also created tension and seriously taken note of, for further necessary investigations on fabricated stories.

As such, the act and conduct of Shri Farooq were such that all reasonable men will distrust the employee and doubt the integrity of the employee, as per CCS., Conduct Rules.

Concl.....E/2.

Attested.

K. N. Datta

Advocate. S-5-96

-:(2):-

Shri Farooq, U.D.C. is hereby asked to explain within 48 (forty eight) hours of the receipt of the Memorandum. Severe disciplinary action shall not be initiated against him for disturbing peace at Office and spreading panic.

2/1
(B. K. MOHANTY)
STATION DIRECTOR.

To

Shri S. M. Farooq,
U.D.C./Store Keeper,
Doordarshan Kendra,
Tura.

Copy to :-

- (1) Assistant Station Engineer(R),, Doordarshan Kendra, Tura.
- (2) Deputy Director General (Security), Doordarshan, New Delhi.
- (3) Deputy Director General (NER), Doordarshan, Guwahati
- (4) Chief Engineer (EZ), AIR & TV., Calcutta.
- (5) Unit Secretary, ADASA., Doordarshan Kendra, Tura.

STATION DIRECTOR,

Attested.

Kalita
Advocate. 5-5-96

To

The Station Director
 Doordarshan Kendra
TURA-794001 (Meghalaya)

Sir,

It may be stated vide memo No. TLA/7(2)/
 759/SMF/136 dt 28-4-95 that whatever I confessed
 to the Station Director on 26th of April is true.

I realised on 26/4/95 that I had done a mistake
 on 24-4-95 when my consciousness did not
 function normally. As my mind was totally
 disturbed by the incidence happened on 23 and
 24th April '95 when my family members were
 threatened for life by Mrs. Jamilah in front of
 my Quarters. I now feel ashamed for the after
 effect and apologise to your good self to
 Pardon me.

I assure you that I shall not be indulging
 with such type of activities in future.

Thanking You

Dated 30-4-95
01-5-95

Doordarshan Kendra: Tura
 Dairy No ... bld 1:5. 95.

Yours faithfully
 (S. M. Faruq)
 UDC/ Steno. Kep. 3
 DDC: TUPA

Attested.

Kabita
 Advocate. 5-5-96

The Station Director,
Doordarshan Kendra,
Tura (Meghalaya)

ANNEXURE 3

Subs: WRITTEN STATEMENT.

Ref: Your Memo No. 7 (2)/95-S(SMF)/2236 dt. 2-8-95.

Most respectfully the Petitioner begs to draw your kind attention to the following for favour of your kind perusal and for necessary actions there of:-

That Petitioner has been served with the notice quoted under above reference to submit his written statement on 5-8-95.

1. That Sir, the Petitioner is an innocent person who has been falsely implicated in the instant cases and the articles of charges brought against him are totally false, baseless, misleading and concocted and there is no iota of truth in it and as such the proceeding brought against the Petitioner must be dropped and the Petitioner must be discharge from the charges brought against the Petitioner.

2. That the instant Proceeding brought and/or initiated against the Petitioner is not maintainable either in facts or in law and as such the instant proceeding must be dropped forthwith.

3. That the instant proceeding seriously suffers from services legal infirmities and as such it must be dropped and in the fitness of the case the present petitioner must be released from the charges holding that the Petitioner is an innocent person and has not committed any act of misconduct or mis-behaviour in support of which the instant inquiry is proposed to be held.

4. That Sir, it is most unfortunate to state that the allegations of disobeying of office orders during the period April/95 to June/95 has been brought against the Petitioner which is not at all correct and true. That Sir in no point of time the affixxx Petitioner ever violated and/or disobeyed any office order and it was always his utmost sincere duty and responsibility of the Petitioner to maintain and obey the officer orders.

Sir it should not be out of content to be mentioned here that it is for the first time in the service career of the Petitioner since inception of his service in the year 1986 that too more particularly since his joining here at TURA. The charge of disobeying office order has been brought.

Sir, it is correct that all on a sudden I was directed by the office order to handover the charge of store keeper to Shri V.S. Johnson , UDC.

That in accordance with the office order as required the Petitioner informed the Station Engineer DDK, TURA, on regards the extention of time to make the works complete and to handover the same.

Contd. 2 ...

Attested.

Kurhita
Advocate. 5-5-96

Sir it may be seen from the office records that because of the heavy pressure of Store Works which is not at all possible for the Store Keeper only to maintain and manage all the records, documents and Registers and because of the tremendous works pressure on the Petitioner in the month of January '95 a proposal and frequently was made by the Assistant Engineer (i/c) Store to your kindself to Post a CG II to help and release some burden from the Store Keeper, but unfortunately no employee was deputed / posted to help and/or to release the burden of the Petitioner and as a result the Petitioner had to devote himself during sundays and holidays in the extra time and hours for the completion of the works while discharging his official duties.

Sir it should further be mentioned here immediately after the Prayer for extention of handing over of the charge was in progress and the total handing over of the charge was possible only when all the official requirements were duly observed and accordingly the Petitioner had to wait for the 100% physical verification of the Engineering stores by the Assistant Engineer and thereafter by the Station Engineer.

Sir it should be mentioned here that during the cause of Physical verifications also there are severral transactions and other transatisfying the Assistant Engineers and Station Engineers the Petitioner has to maintain the account, of fresh purchase and issues of material and as a result the time was taken and the most Pertinent to mention here is that evenafter the 100% physical verification by the Assistant Engineers and Station Engineer the new encumbent for the Engineering store Shri ~~V.S.~~ V.S. Johnson intended to take the accounts of each and every item of the stores and being the out going store keeper it was also the duty of the Petitioner to satisfy the ~~xx~~ new encumbent with the stocks registers etc of the Engineering store on which took maximum time and ultimately on 3-7-95 the handing over and taking over of, the Engineer store was completed.

Sir so far so long the Petitioner was in the capacity of Store Keeper of the Engineering Store of DDK TURA inspite of requests by the Assistant Engineer i/c store to provide one CG-II but unfortunately till the date your Petitioner was discharging the duties of Store Keeper no CG-II was deputed and surprisingly immediately on taking over of the charge of Store keeper by Shri V.S. Johnson one CG-II has been provided the assist the Store Keeper.

Sir this fact it self is an evident to show that the Petitioner had been discharging the duties of one CG -II and one helper in addition to the works of Store keeper since the date of posting at DDK, TURA.

Under the aforesaid facts and circumstances the Petitioner respectfully states that the article of charge of disobeying of office order brought against the Petitioner is not at all maintainable and hence it is prayed that the said charge be dropped.

That the most sordid part of the Petitioner is that the charge of "indulged in gross irregularity and negligence in the discharge of official duties with a dishonest motive" has been brought.

Contd... 3...

Attested.

Rohit

Advocate.

5-5-96

That the Petitioner stoutly denies the charge as the same is baseless and false. The Petitioner never indulged himself in any irregularity and negligence in discharging official duties for less the question of with a dishonest motive.

Sir, if the Petitioner would not have kept the Engineering Store records viz (Store Received Books, Store issue Books, Store ledgers, Defective Store ledgers etc) if is surprising how the payments for the bills against the Purchase of Engineering articles could be made by the DDK TURA. It should be mentioned here that in case of none performing of the official works i.e., the duties of the Store Keeper by the Petitioner surely all the bills for purchased of Engineering articles could have been pending till date the records of the office is a pointer is show that the Store Keeper had to maintain and record even the entries of column No. 6 of SRB though the same was the exclusive duty of the Accountant but because of keeping the records and registers in order the Petitioner had to maintain the column No. 6 of SRB till pointed out by the Assistant Engineer i/c Store. Sir as regards Register of Empties the Petitioner was not aware nor ever your kindself have quided him or advised him to maintain such Register non the Petitioner why taking over the charge of Store Keeper of DDK, TURA was entrusted with any such Register of empty.

Sir, it is to be mentioned here that the all the records and registers of the Engineering Store were produced and placed for inspection and verification by the Accountant as and when called for by the Accountant and it is not correct that the Petitioner did not submit the records to the Accountant from time to time.

Sir under the aforesaid facts and circumstances the charge of "indulged in gross irregularity and negligence in the discharge of official duties with a dishonest motive" cannot stand at all and that too while handing over the charge of Store Keeper neither any record was found incomplete nor any engineering item was found short in the Store.

That the article of charge brought against against the Petitioner that he "breached the security measures of the vital central Government Institution and thus implicate the watch and ward officials on duty on that days in the concocted case" is totally baseless, false and misleading. The Petitioner has never concocted any abduction case as alleged or otherwise and as such the allegations brought against the Petitioner as regards the "attempt was ill conceived and Pre-Planned with the intention of tarnishing the image of the Head of Office-Cum-Controlling Officer and others" cannot and does not arise at all.

Sir, it should be mentioned here that on 23-4-95 which was Sunday and as per your kind order to handover the charge of Store keeper when the Petitioner was working in the Store in presence of Shri S.K. Sinha AE i/c Store and Shri Ajay Majhi E.A at about 6.00 pm at the children of the Petitioner appeared in the office of the Petitioner and reported to him about the Physical assault to them by the children of Shri V.S Johnson and in order to avoid any further quarrel the Petitioner detained his children in the office with an intention to take them alongwith him so that no more assault is caused to them.

Contd... 4...

Attested.

Kohli,
Advocate. 5-5-96

Surprisingly at about 7.00 pm the Mrs V.S. Johnson appeared in the office of the store with a stick and called the Petitioner in all ill names and used obnoxious languages to words Petitioner his family members threatened him with dire consequences and bring & frightened the Petitioner requested her to leave the office and the Petitioner will talk with Mr. V.S. Johnson to resolve the quarrels but at that time Mrs. V.S. Johnson took vow to teach the Petitioner a lesson and declared it publicly and left the office premises. Due to this unfortunate happening and incident in the office premises the Petitioner was so frightened that at about 8.00 pm the Petitioner alongwith his children left for home with Shri S.K. Sinha and Shri Ajay Majhi.

That Sir on the next day at about 7.00 pm when the Petitioner was making contact as regards delivery of fire fighting equipments over Phone from ASE's residence at that time his wife in a very scared and frightened state appear and reported to the Petitioner that Mrs. V.S. Johnson is after her life and immediately the Petitioner advised her to report to your kindself and didnot felt it personally to appear before your kindself as the same is a quarrel totally outside the perview of the official duty and your kindself may not entertain the same as because the quarrel is of ~~mix~~ purely private in nature and as such advised his wife to report the matter to your kindself to resolve the dispute as a family welwisher.

Thereafter the Petitioner went into the office and for the moment apprehending danger to his life and his member of family because of constant threats and attempts to assault decided to bring the matter to the notice of your kindself and accordingly the Petitioner over telephone reported the incident and threat's of Mrs. Johnson 's to him an to his members of family and thereafter, after closing the Store due to tension and helplessness the Petitioner went and reported to Mr. N. Sashidharan Head Clerk, regarding the incidents but he expressed his helplessness thereafter the Petitioner left the quarter of Shri. Sashidharan and proceeded towards the adjacent Tea Stall.

While proceeding towards tea-stall at about 7.40 pm suddenly & from the back side three unknown young persons called him to stop being frightened the Petitioner apprehended that those person might be the men of Mrs. V.S. Johnson and calling him to cause physical harm to the Petitioner having no other alternative rushed straight towards Tura Town and then the chasers also followed him thereafter being panic stricken having no other alternative took shelter in the Tura Civil Hospital Compound which was only public place found and felt secured and then the chasers did not entered into the Hospital compound but remain out side till dead at night and in the Civil Hospital alongwith the other public attenders the Petitioner passed that panic stricken and most violent and dangerous ~~night~~ night in his life for the first time.

The Petitioner from their made calls to ASE for his rescue and security but the case of phones a regards abduction of the Petitioner and refuge at a friends ~~family~~ place are totally false and baseless and the petitioner stoutly denies the he made any such telephones as regards ~~any~~ abduction to ASE or to director.

Unfortunately for the reasons best known to the ASE no body went to rescue the Petitioner from Tura Civil Hospital at that night and as a result the Petitioner had to stay and passed his night in the Tura Civil Hospital.

Contd.. 5 ...

Attested.

Kavita
Advocate. 5-5-96

That Sir, the statements contemplated and annexed with the article of charges are not the statements of the Petitioner. The Petitioner gave the same statement both on 25-4-95 and 26-4-95 before you only as desired by your kindself.

It should be mentioned here that the Petitioner reported the entire matter to your kindself verbally as desired by you on the following day it was again desired by your to give the statement in writing and accordingly the Petitioner gave in written the whole facts of quarrel, threatening by Mrs. V.S. Johnson and chasing by unknown persons and passing of night at Tura Civil Hospital and telephones for rescue and security and in the state, detailed statement the Petitioner put his signature also and thereafter the said statement was signed by your kindself and retain the same with your kindself. It should best be out of the context to be mentioned here that while giving the statements so far in oral as well as in writing neither ASE, Head Clerk nor Accountant was present.

That Sir, the Petitioner beg applegys on the 26-4-95
itself to your ensuuring that he will control his wife and child-
ren not to make any quarrels with any body in the colony and
shall maintain peace and shall further confussed not give any
scope to any body to home in the office premises and to distrub
the official works and because~~s~~ of disturbing the official work
by Mrs. V.S. Johnson as regards quarrels between two families the
matter came inside the office and regarding that effect and more
particularly for distrubing your kindself as regards family
quarrels and sending of the wife of the Petitioner to your kind-
self and for all these activities the Petitioner ensured that
there will be no such type of quarrels and complain activities,
in future , and on that appology and assurance you advised me to
be frieddly with everybody of the colony and not to involve in
any quarrels and further directed the Petitioner not to distract
your kindself in all these type of quarrels in the colony.

That the Statements enclosed with the article of charge are not the statements of the Petitioner and they are concocted and managed and created with some vested interest just to cause wrongful loss to the Petitioner. And the most painful part is that the statement of the Petitioner given to your kindself is not supplied to the Petitioner and /or enclosed with the charge and from the statements supplied to the petitioner it may be seen that the alleged statement of 25-4-95 contains the signature of the alleged witnesses and that of your kindself ~~xxx~~ as on 26-4-95. Now the question arises as to it the petitioner has given any statement on 25-4-95 how the signatures contain there in are of 26-4-95 it should have been on 25-4-95 itself and who is the writer of the statement nothing is mentioned there in. And the statement given to your kindself on 26-4-95 in writing ~~xx~~ which comprised the signature of the Petitioner and that of your kindself is not enclosed and a totally created statement has been annexed to substantiate a baseless charge against the Petitioner.

Sir under the aforesaid facts and circumstances it is
humbly prayed that the charges of breached the security measures
of the vital central Government Institution and thus implicated
the watch and ward officials on duty on that day in the con-
cocted abduction case" against the Petitioner is totally false
baseless and the said charge must be dropped.

Contd...6 ..

Accepted.

Karlsruhe

Advocate. 5-5-96

That Sir, it should be mentioned here that the Petitioner when received the memorandum to reply he accordingly gave his explanation contending his statement given to your kindself on 26-4-95 and he did not honestly felt it necessary to explain the entire contents of the memorandum as those were not at all correct.

That Sir, during the service tenure of last about 9 years in service the Petitioner has not even given any warnings from any superior officer and this is for the first time all the false and baseless charges have been brought with an intention to cause wrongful loss and undue harrassment the Petitioner.

The Petitioner respectfully States that he is totally innocent and charges brought against the Petitioner are false baseless concocted and fabricated and there is no iota of truth in it and the Petitioner wants to be heard in person and as such the proceeding initiated against the Petitioner for holding inquiry may be dropped and the Petitioner be discharged from all the charges brought against him and for which// act of your kindself the Petitioner as in duty bound shall always pray.

Yours faithfully,


 (S.M. Farooq)
 UDC, DDKJ TURA.

Dated : 14-8-95

* * * * *

Alleged
 Farooq,
 DDCB, S-5-96

GOVERNMENT OF INDIA
DOORDARSHAN KENDRA : TURA

Annexure A

No. 7(2)/95-S (SMF) 4535

Dated the 31st August, 1995

MEMORANDUM

This is with reference to his written statement dated 14-8-95. The parawise comments are appended below :-

Para - 2 : Facts are on file and the sensational panic, created by the petitioner, for which, statements given by the petitioner are recorded with witness.

Para - 3 : There is no service legal infirmatives ; and innocence is not tenable as per conducts of the petitioner on 24th April 1995.

Para - 4 : Comments as per para 6 & 7.

Para - 5 : No comments.

Para - 6 : The office order does not state so, by any name for handingover/takingover in particular.

Para - 7 : The petitioner has committed an act of disregard by bi-passing; and insubordination, by not reporting, as stipulated in the office order No. TUA/2(3)/94-95/3 dated 20-4-95 at para 3 to report it to HC/AC/SAO by 24-4-95.

Para - 8 : Already a CG-II was made available right from May, 1993 to assist in the work of Station Engineer/Assistant Station Engineer and in the matter of Engineering Section.

Additional work performed by the petitioner, has been compensated in forms of O.T.A., as found from the bills.

Para - 9 : The petitioner has not submitted any prayer for extension of time, for handing-over, and 100% physical verification.

Physical verification is the responsibility of Store-Keeper, who would have been completed by the 2nd Week of April, after closer of the financial year. These amount to dereliction of duty, without informing the Administrative Authority i.e. SAO.

Para - 10 The content of the paragraph is quite natural; and the period taken for, about two months, is quite unnatural.

Para - 11 : The Office Order of 20th April, 1995, assigned, one LDC for entire routine administrative work of Engineering Section and not to a particular person, is stated by the petitioner; which amounts to insinuation, against the administrative order.

Cont. 2 .

Attested,

Karita

Advocate. S-S-96

Para - 12 : It is not the fault of the administration ; for not utilising the ministerial incumbent, provided to SE/ASe by technical wing for technical matters, and for the additional work of the petitioner without taking the help of UDC provided, has been compensated by O.T.A.

Para - 13 Contents not tenable, due to aforesaid clarifications.

Para - 14 In view of the manner in which the petitioner worked, clearly indicates his doubtful motive, and hence the charge has been brought.

Para - 15: Records speak themselves. Please note remarks against paragraph No. 2 of the petitioner.

Para - 16 : Records are available in office. So far column 6 of SRB is concern, though it is in the form, the column 'to be filled by Accountant', the Volume number of ledger is required to be filled by the Store Keeper, to enable the Accounts Section to make entry in the Accounts ledger.

It is a direct insinuation against the administration as the same deficiency has never been pointed out by petitioner, before & so far.

Para - 17 : The records and registers maintained by the Store Keeper are the evidence of the charge.

Para - 18 : Charges leveled against the petitioner will be proved at the time of inquiry.

Para - 19 : The statement given by the petitioner on 25th and 26th April, 1995 in the presence of ASe (P.U. Ready)/HC/AC in the office chamber of the Station Director are on record; which are evident of breach of security, implicating watch and ward official on duty on 24-4-95.

Para - 20 & 21 Contents not relevant to the charges and the events/ incidents were not reported to the Security Officer, nor to the Head of Office; both of whom were present in the campus on 23-4-95 being Sunday. This also indicates insinuation of a "house wife" of an UDC who was incidentally assigned to take over the duties of Store Keeper (Engineering).

Para - 22 : Contents suffer from impropriety, because the telephonic contacts from ASe's residence regarding stores, is not the function of Store Keeper. If the petitioner, did not feel himself to bring it to the notice of the Station Director, residing two blocks away, there was no point, in sending his wife to the residence of Station Director.

Cont.....5,

Attest,

Kanta 5-5-96
2000 A.M.

Para - 23 : It is insensible on the part of the petitioner to come again to the office, to telephone to the Station Director ; at his residence; and close the store, which indicate that, he has not closed the store before going to the ASE's residence, as stated in previous para. It is also not understood, why the petitioner went to AIR campus, to report regarding the incident to Mr. K. Sasidharan, former Head Clerk.

Para - 24 : The statement pertaining to the contents are already on record.

Para - 25: It is not understood, why the petitioner made calls to ASE, for his rescue and security, instead of directly calling to the Station Director. The petitioner, denies that he has not made any phone regarding, abduction which has been reported by ASE, orally and in writing. This amounts to insinuation against ASE and implicating him of falsehood.

Para - 26 : The contents are false allegation made against ASE.

Para - 27 : Contents are blatant lies. The gist of the statement made by the petitioner on 25th & 26th April, 1995 in the presence of SD, ASE, HC & ACtt. are on record.

Para - 28 : The petitioner has not submitted any written statement as stated. Further; denying the presence of ASE, HC & Actt, during his oral statement, on 25th and 26th April, 1995, is again a blatant lie.

Para - 29 : The written apology, was submitted in response to the Office Memorandum No. 7(2)95-S (SMF) dated 27-4-95 does, not contain any details by him as stated.

Para - 30 : The contents are insinuation with levelling charges against the administration which amounts to act/s of insubordination.

Para - 31 : In the light of above the contents are not tenable.

Para - 32 : Irrelevant and contradiction to his own statement given.

Para - 33 : Contents are attempt to implicate the administration and, thus an act/s of insubordination.

Para - 34 : The petitioner will be heard in person, as desired at the time of inquiry.

J. A. - 36
(H. RACID)
Sr. Administrative Officer
For Station Director.

To
Shri S. M. Faroog, UDC
Doordarshan, Kendra,
Tura.

Attested.
Konita
Advocate. S-5-96

- 37 -

GOVERNMENT OF INDIA
DOORDARSHAK KENDRA
TURA - 794 001
MEGHALAYA

ANNEXURE 5

No. 7(2)/95-S/2638

Dated : Tura, the 11th Sept. '95

M. E. M. O

This refers to earlier memos of even number dtd. 31-8-1995, Shri S. M. Farooq, UDC is hereby summoned to be present himself along with his defence assistant Shri D.C. Duvvedi, Sr. Engr. Asstt. on 15-9-1995 at 2.00 P.M. in the Office room of Station Engineer, DDK, Tura.

Ramfraz
11/9/95

(R. S. KOTVAL)
Inquiry Officer

✓ Shri S. M. Farooq,
UDC, DDK, TURA

Copy to Inquiry file.

Attested.

Kalita

Advocate. 5-5-96

To,
The Station Director,
Doordarshan Kendra,
Tura- 794 001

Dated : Tura, the 15th Sept. '95

Sub : Regarding baising of Enquiry Officer.

Sir,

I here by draw your kind attention that as soon as at the time of 2.00 PM. I came inside the said place vide Office Memo No. 7(2)/95-S/2658 dtd. 11-9-1995. Our Enquiry Officer Mr. Kotwal Sahib stated, "You did wrong and I don't want to listen any word because your statement is already attached with charge sheet given by ^{Office} me and you are simply misguiding the Office".

At this juncture my defence assistant placed objection to his words and requested him not to use such unmannerly words.

Then he told, that my defence assistant had no right to come in this matter and he told him to be quiet and he was not agree to listen anything against the false statement which are attached with charge sheet.

And finally our Enquiry Officer left the place saying that, he was not going to listen anything because the charges brought against me are correct. Using this obnoxious words he left the place. When my defence assistant tried to talk to him he denied and did not listen any thing and he left for his Office chamber.

This is for your kind information and necessary action please.

Thanking you,

Yours faithfully,

(S. M. FAROOQ)
UDC
DDK, TURA

Copy to :- The Dy. Director (NER), Doordarshan,
R.D. Barooa Road, Guwahati- 24 for
kind information and necessary action
please.

S. M. FAROOQ

Attested.

Kotwal

Advocate. S - S - 96

15/9
8.1. 16 S.P.
at 5 P.M

and then, after I left with Mr.

To, o m Inquiry.

ANNEXURE 7

The Station Director,

Doordarshan Kondra,

Tura- 794 001 ~~do not be out to the~~

mentioned here that the delinquent servant had requested both Inquiry Officer

Sub : Prayer to withdraw from the Post of Presenting Officer Assistant of Shri S.M. Farooq, to allow me to U.D.C. PDK, Tura under protest handed to the Inquiry of Mr. S.M. Farooq, U.D.C.

saying that he is guilty and must be punished.

Sir,

Most painfully I have the honour to inform you that as per the willingness given to learned Inquiry Officer to appear and act as defence assistant of Mr. S.M. Farooq on last 15-9-95 at 2.00 PM. as directed by Shri R.S. Kotwal, Inquiry Officer, I along with delinquent servant appeared before the Inquiry Officer.

Sir, in the interest of justice, I can not say that just after my entry Sir, Inquiry Officer and Presenting Officer raised objection that I shall not be allowed to say/plead for the delinquent servant and I am to sit and observe the case only and whatever is to be replied the same must be submitted by the delinquent only and I was not allowed to say any thing by both the Inquiry Officer as well as by the Presenting Officer and they were constantly raising objections as that to I have no right to say/submit/plead for the delinquent and the delinquent is 'Guilty'.

I tried my best to convince the Inquiry Officer as well as Presenting Officer that the Disciplinary Authority first produce the evidences, records, witnesses for examination and cross examination and I have all the right to plead and cross examine as per Law and only for that and to assist the Inquiry I have been allowed to defend the Delinquent servant and under the Law I cannot be restrained. Action please.

2. Sir; most unfortunately the Learned Inquiry Officer used all obnoxious and unparliamentary Languages both to the delinquent servant as well as to me and no fault of mine I have been unnecessarily insulted by the Learned Inquiry Officer as well as by the Presenting Officer and thereafter both of them left the place of Inquiry and did not turn-up till 4.15 PM. and there

Continued.

Attested.

K. K. K. K. K.

Advocate. 5-5-96

and there after I alongwith the delinquent left the place of Inquiry.

They did not let me speak, I was silent, in fact they should not be out of the context to be mentioned here that the delinquent with folded hands requested both Inquiry Officer as well as to the Presenting Officer to conduct the Inquiry and further to allow me to plead for him but they did not pay any heed to his caroles rather they condemned him by saying that he is guilty and must not speak.

Most reluctantly I have the honor to inform you Sir, under the aforesaid circumstances I feel that it is not possible on my part to protect the interest of the delinquent servant as the Inquiry Officer as well as the Presenting Officer have decided not to allow me to plead for the delinquent.

Sir, in the interest of justice I feel I can not do justice to the delinquent by protecting his interest as much I pray that the willingness to defend Mr. S.M. Farooq given by me to the Inquiry Officer be deemed as withdrawn under protest as such I may be liable to discharge from the post of defence assistant of the delinquent and for which act for your kindness I shall remain oblige. I have constantly railing myself on an Asst. D.A. have no right to say/submit/plead for the delinquent thanking you, Guilty.

I tried my best to convince Yours faithfully, you

Dated : 18-9-1995 9/1/1995 Present the witness (D. C. DUVIVEDI),

for examination and cross examination Defence Assistant Sr. Engg. Asstt. DDK, TURA

Copy to D.G. to assist the Inquiry

1. The Deputy Director General (NER), Doordarshan, R.G., Baruah Road, Guwahati- 24 for information and necessary action please.

2. Shri S.M. Farooq, UDC, DDK, Tura.

Officer in charge

Body to the D.G.

State of Assam

Guwahati, Assam

Office of the D.G.

Guwahati, Assam

Devi
D. C. Duvivedi 18/9/95

Attested.

Konito

Advocate. 5-5-96

No. 7(2)/95-S (SMF)/2887

Dated the 23th September, 1995

O R D E R

WHEREAS Shri S. M. Farooq, UDC has been found guilty under Rule 14 of C.C.S (C.C.A.) Rule, 1965 as charge sheet framed against him vide office memo of even number dated 2-8-95,

AND WHEREAS it is considered that the conduct of said Shri S.M. Farooq, UDC, which has led to the Departmental Inquiry, the gravity of the charge is such, as to warrant the imposition of major penalty;

AND WHEREAS Shri S.M. Farooq, UDC was given an opportunity of personal hearing and as per his written explanation; but the inquiry got stalled by him and his defence assistant on 15-9-95. Both of them hurled accusations and filed representation against two responsible Senior Officers : appointed as Inquiry Officer and Presenting Officer

AND WHEREAS the said Shri S.M. Farooq, has given a written reply on 14-8-95 which has been duly considered by the undersigned;

NOW THEREFORE, in exercise of the power conferred by Rule 19, sub-rule 6(i) clause (c) of the Central Civil Service (Classification, Control & Appeal) rules, 1965, the undersigned hereby imposes the penalty of "Reduction to a lower stage in the time scale" under rule 11 (v) of CCS (CCA) Rules, 1965.

It is therefore, ordered that the pay of Shri S.M. Farooq, UDC, be reduced by 4 stages from Rs. 1320/- to Rs. 1200/- in the time scale of pay of Rs. 1200-30-1560-EB-40-2040/- for a period of 2 years w.e.f. 1-10-95. It is further directed that Shri S.M. Farooq will not earn increments of pay during the period of reduction and that on the expiry of this period, the reduction will not have the effect of postponing his future increments of pay

Shri S.M. Farooq,
UDC. DDK, Tura.

(B. K. JOHANTY)
(B. K. JOHANTY)
STATION DIRECTOR

Copy to :-

- 1) The Dy Director General (NE), Doordarshan R.G. Baruah Road, Guwahati - 24.
- 2) The Pay & Accounts Officer, Doordarshan, H.R. Path, R.G. Baruah Road, Guwahati - 3.
- 3) Service Book of Shri S. M. Farooq.
- 4) Personal File of Shri S. M. Farooq.
- 5) Accounts Section (2 Copies).
- 6) Confidential Section

(B. K. JOHANTY)
STATION DIRECTOR.

Attested.

Konita

Advocate.

5-5-96

ANNEXURE : 9

To

The Deputy Director General(NER)
 Doordarshan
 R.G.Baruah Road, Guwahati-24.

IN THE MATTER OF :-

An appeal Under Rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules 1965 against the impugned order dated 29.9.95 passed by the Learned Station Director, Doordarshan Kendra, Tura vide Memo No.7(2)/95-S/2887 dated 28-9-95 and served on the Appellant On 30-9-95.

AND

IN THE MATTER OF :-

The Appellant Md. S.M.Farooq U.D.C. at present posted at Doordarshan Kendra, Tura.

The humble petition of the above named Appellant.

Sir,

Most respectfully sheweth :-

1. IT is most painfull to state that the Appellant who is in employment earlier under AIR & CCW and at present under Doordarshan since the year 1986 it is for the first time in his service carrier that the Appellant has been charged in all baseless , false , fabricated and concocted allegations and thereafter without any enquiry to investigate the bonafide of the allegations MAJOR punishment has been inflicted to the Appellant in total violation of the mandatory provisions of the law and Rules.
2. Sir, it is always the atmost effort of the Appellant to discharge his official duties to the best satisfaction of his Superior Officers and it was always the endeavour of the Appellant to perform his duties and responsibilities most honestly and sincerely and as such there was no occassion for any of his Superior Officer to lodge any complaint against the Appellant and the Appellant always got encouragement and affections from his Superior Officers.
3. That it is for the first time since the Appellant has been transferred and posted at Doordarshan Kendra, Tura as Store Keeper of the Engineering Store of Doordarshan Kendra ,Tura the most humble and innocent Appellant become the arch-foe of the Respected Station Director of Doordarshan Kendra,Tura and the reasons for the Step-motherly attitude towards the Appellant is still unknown to the Appellant.

Attested.

Ranita

Advocate.

Cont. . . . Page No.2

S-S-96

Sir, it should not be out of the context to be mentioned here that a most ugly allegation prior to the present allegations in respect of power consumption of staff quarter No.C-30 was leveled upon the Appellant. The Appellant is puzzled to understand as regards when the Appellant petitioner is in occupation of staff quarter No.C-28 how he could be made responsible and asked for clarification as regards consumption of electric charges in staff quarter No.C-30 by the respected Station Director is simply unknown to the Petitioner Appellant.

5. That Sir concerning the quarrel and assault between the children of the Appellant with that of Mr.V.S.Johnson of Doordarshan Kendra, Tura followed by threatening and intimidations by Mrs.V.S. Johnson during the period of 23-4-95 and 24-4-95 and thereafter unfortunate act of chasing by three unknown persons and taking of shelter at Civil Hospital, Tura and passing of the most dangerous and disgusting night at Tura Civil Hospital and request Telephone Calls for resque as desired by the Learned Station Director the Petitioner informed him in detail about the entire incidents and thereafter again as per the direction of the respected Station Director the entire facts were given in writing to the Station Director and beg apology On 26-4-95 itself and ensured that he will control his members of family as regards not to make any quarrel in the colony and shall not give any person any scope to come in the office premises and to disturb the official works.

6. That after the aforementioned statement in writing was given to the Learned Station Director vide Memo No.TUA/7(2)/95/S/SMF/136 Dated 28th April, 1995 issued a memorandum for explanation with an intention to initiate severe disciplinary action for disturbing peace at office and spreading panic.

7. That the Appellant on receipt of the memorandum gave his explanation contending his statement given to the respected Station Director on 26-4-95 and he did not honestly felt it necessary to explain the entire contents of the memorandum as those were not at all correct.

8. That after the explanation was submitted by the Appellant without framing any article of charge informed the Appellant vide Memo No.7(2)/95-S/SMF/3130 dated 24-7-95 that respected Shri R.S. Kotwal, ASD of Doordarshan Kendra, Tura was appointed as the Inquiry Authority.

(Annexure 'A' is the photostat copy of the order dated 24-7-95 which may be treated as a part of this Appeal.)

9. That thereafter vide Memo No.7(2)/95-S/SMF/2236 dated 2nd August '95 after the lapse of several months and in total violations of the mandatory provisions of law respected Station Director prop-

Attested. Cont. Page No.3 Proposed

K. K. K. K. K.

Advocate. S - S - 96

proposed to held an enquiry against the Appellant and further directed the humble Appellant to file his Written Statement and in compliance with the memorandum the Appellant filed his Written Statement in defence on 14-8-95 against the baseless, concocted, false, fabricated and misleading articles of charges and statement of imputation brought against the Petitioner Appellant and further expressed his desired to be heard in person.

(Annexure 'B' is the memorandum dated 2-8-95 which may be treated as a part of this appeal and annexure 'C' is the photostat copy of the Written Statement which also maybe treated as a part of this Appeal.)

10. That after received of the Written Statement in defence the Respected Disciplinary Authority furnished a para wise comments to the Written Statement of the Appellant which is not at all incorfor mity with the necessary records so far as related with the instant proceeding and the Appellant is surprised to know the contents of the comments which even denies the facts of extention of time for handing over and physical verification of the Engineering Stores. The Appellant begs to submit the necessary correspondences in respect of extention of time to hand over the chagge of the Store.

(Annexure 'D' is the photocopy of the letter dated 22-4-95 for time addressed to the Station Engineer, Doordarshan Kendra, Tura. Annexure 'E' is the note of the ASE, DF Memo No.I(9)/95/E/167 dated 29-4-95 of ASE and Annexure 'F' is the letter of handing over the charge of Store Keeper which may be treated as a part of this Appeal memo.)

11. That after the supply of the memorandum dated 2-8-95 as aforesaid the respected Station Director further informed that the Learned H.Rachid, SAO has been appointed as the Presenting Officer and accordingly the Appellant prayod for defending his interent by a Lawyer or through Defence Assistance, Shri D.C.Dwivedi,SEA of Doordarshan Kendra, Tura for justice vide his letter dated 5-9-95 and vide his latter dated 7(2)/95-S/2658 dated 11-9-95 the Learned Enquiry Officer fixed the first date for inquiry on 15-9-95 and also informed the Appellant to appear with his Defence Assistance Shri D.C.Dwivedi,SEA.

(Annexure 'G' is the photocopy of the Memo Dated 11-9-95 which may be treated as a part of this appeal.)

12. That incomplicance with the memo dated 11-9-95 the Appellant alongwith his Defence Assistance appeared before the Learned Inquiry Officer and most unfortunately in the name of enquiry without even examining a single witness of the Disciplinary Authority the Learned Inquiry Officer m a most unplatable remark to the Appellant by uttering as follows :-

Attested.

Cont. Page No.4

Konita

Advocate. 5-5-96

" You did wrong and I don't want to listen any word because your statement is already attached with charge sheet given by the Office and you are simply misguiding the office"

It should be mentioned here that when the Defence Assistance objected to such remarks the Learned Inquiry Officer out right rejected his objections and did not listen to hear any thing from the Defence Assistance contending that the Defence Assistance has no right to say anything and further directed him to be quite and thereafter the Learned Inquiry Officer left the place of inquiry by saying that the charges brought against the Appellant are correct and inspite of requests by the Appellant with folded hands to the Inquiry Officer as well as to the Presenting Officer to conduct the Inquiry but no inquiry was conducted.

13. That having no other alternative the Appellant on the same day informed the entire facts of unfortunate acts of the Learned Inquiry Officer to the respected Station Director.

(Annexure 'H' is the photostat copy of the letter dated 15-9-95 which may be treated as a part of this appeal.)

14. Sir, because of the illegal restraint to the Defence Assistance in defending the interest of the Appellant the Learned Inquiry Officer as well as the presenting Officer and because of use of objectionable languages to the Defence Assistance and to the Appellant by the Inquiry Officer and Presenting Officer Shri D.C. Dwivedi, Defence Assistance vide his letter dated 18-9-95 addressed to the Station Director, Doordarshan Kendra, Tura prayed to withdraw his willingness to defend under protest.

(Annexure 'I' is the photostat copy of the letter dated 18-9-95 of Shri D.C. Dwivedi, SEA which may be treated as a part of this appeal.)

15. That thereafter without making any inquiry under the guise of Rule 19(6)(i)(C) of the Central Civil Service (Classification, Control and Appeal) Rules 1965 a major penalty of "Reduction to a lower state in the time Scale is inflected upon the Petitioner Appellant vide impugned order No.7(2)/95-S/SMF72887 dated 29-9-95 in total disregard to the mandatory provisions of the rules and laws.

(Annexure 'J' is the photostat copy of the impugned order dated 29-9-95 which may be treated a part of this appeal.)

16. That being aggrieved by the impugned order the Appellant Petitioner under amongst the following grounds prefers this appeal under Rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules 1965 read with all other relevant provisions of rules and laws :-

Attested.

Cont Page No.5

Kavita

Advocate

5-5-96

G R O U N D S

A. For that the impugned order passed by the Learned Disciplinary Authority is in total violation of the mandatory provisions of Rule 14 of the Central Civil Services(Classification, Control and Appeal) Rules 1965 and Article 311(2) of the Constitution of India and as such it must be set aside as the impugned order on the face of it it is out and out illegal-~~per-se~~

B. For that the impugned order which has been passed without any inquiry as contemplated in Rule 14 of the aforesaid Rules is out and out in total disregard and violation of the Mandatory provisions of Rule 14 of the Central Civil Services(Classification, Control and Appeal) Rule 1965 and as such cannot stand in the eye of law and as such the impugned order deserves to be set aside.

C. For that the Appellant respectfully states that on the false allegations that the Appellant and his Defence Assistance hurl accusations and filed representations against the two responsible Senior Officers appointed as Inquiry Officer and Presenting Officer a mandatory provision of Rule and law cannot be denied. Further more this cannot be a ground to dispense with the mandatory provisions of inquiry and as the impugned order is passed without any inquiry it must be set-~~aside~~ forthwith.

D. For that the appellant petitioner further respectfully states that the provisions of Rule 19(6)(i)(C) of C.C.S(Classification, Control and Appeal) Rules 1965 can only be invoked by the Disciplinary Authority when there is an atmosphere of violence or of general indiscipline and insubordination prevails at the time of the attempt to hold the inquiry is made and in the impugned order there is nothing to show as regards nay such situation and the Appellant Petitioner respectfully states that the avoidance of inquiry is and imposing of penalty by the Respected Disciplinary Authority is totally arbitrary and definitely with ulterior motive and to cause wrongful loss and harassment to the Appellant and that too lower the prestige and position of the Appellant in the esteem of the society.

E. For that the Appellant respectfully states that his right to inform the ~~his~~ bias activities of the Inquiry Officer to the Respected Disciplinary Authority cannot be termed as hurling accusation as all codes and procedure has contemplated only fair trial and impartial trial and raising objection against the biasness of the Inquiry Officer by the Appellant cannot be ~~termned~~ denied.

F. For that it is again mandatory provisions of law that no person can be condemned unheard and the impugned order passed against

Cont. Page No.6

Attested.

Kahita

Advocate.

5-5-96

the Appellant without giving any scope of hearing by the Respected Disciplinary Authority.

G. For that the impugned order is the out come of misconception of law and as violative of all the principles of natural justice and good conscience and as such it must be set-aside.

H. For that the allegations leveled against the Petitioner that enquiry got stalled on 15-9-95 by the Appellant and Defence Assistance is totally baseless and misleading. It is matter of records that without producing any witness for examination as to ascertain the veracity of the charges the unfortunate allegation of stall of inquiry has been brought against the Appellant and his Defence Assistance.

I. For that the Appellant petitioner is an innocent person and has not committed any offence as alleged and as such the impugned order cannot stand in the eye of law and it must be set-aside.

J. For that it is simply unknown to the Petitioner Appellant how the respected Disciplinary Authority could presume that the Appellant is guilty on the sole ground that the charge sheet framed against the Appellant vide Office Memo dated 2-8-95 as the inflicting of punishment on this ground is out and out illegal and not maintainable in the eye of law and as such the impugned order cannot stand in the eye of law and it must be set-aside.

K. For that the respected Station Director who has acted as a Disciplinary Authority in the instant case himself is in the footing of a witness so far the instant case is concerned and more particularly is an interested witness for the Disciplinary Authority and as such the inflicting of punishment by such an interest and Respected person acting as Disciplinary Authority cannot stand in the eye of law and as such the impugned order is a nullity and must be set-aside.

In premises of the aforesaid it is humbly prayed that your kindself may be pleased to consider this appeal and on careful perusal the appeal be admitted and in considering the appeal memo alongwith the annexures the appeal be allowed and the impugned order be set-aside.

Further it is humbly prayed that pending consideration of the appeal the operation of the impugned order be stayed in the interest of justice.

And for which act of your kindness the Petitioner Appellant as in duty bound shall always pray.

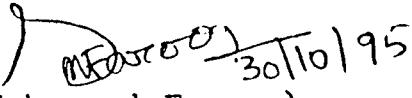
By to:- The Station Director
Doordarshan Kendra
Tura for Information
Please.

Attestd.

Khalid

Advocate.

Your's faithfully,

 30/10/95

(Sheikh Mohammad Farooq)

UNC. Doordarshan Kendra, Tura.

5-5-96

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GAUHATI BENCH :: GUWAHATI

In the matter of :-
O.A.NO.77 of 1996

Sheikh Md. Farooq
-Vs-
Union of India and Others.

Written Statement for and behalf of Respondent
Nos. 1,2,3,4 and 5.

I, P.K.Singson, Deputy Director General(NER), Doordarshan, R.G.Baruah Road, Guwahati-781 024 do hereby solemnly affirm and say as follows :-

1. That I am the Deputy Director General (NER), Doordarshan, R.G.Baruah Road, Guwahati-24 and am acquainted with the facts and circumstances of the case. I have gone through a copy of the application and have understood the contents thereof. Save and except whatever is specifically admitted in this written statement the other contentions and statement made in the application may be deemed to have been denied. I am authorised to file this written statement on behalf of the Respondents.
2. That the statements made in paragraph 4.1 of the application are admitted.
3. That with reference to the paragraph 4.2 of the application the Respondents beg to state that the applicant was working as Upper Division Clerk at Doordarshan Kendra, Tura. The order of his transfer dt. 22-07-95 was received by the office on 29-07-95. But, a decision was already taken on file to institute a Departmental Enquiry against the incumbent on 01-05-95 following a sensation created by the employee on 25.04.95. Therefore, the Kendra requested DDG(NER) to keep the transfer order in abeyance vide our letter dated 01-08-95.

4. That with reference to the paragraph 4.3 of the application the Respondents beg to state that the Office appointed an Enquiry Officer to go into finding facts on the charges framed, and the copy of the Order dated 24-07-95 was endorsed to the applicant. The charges were also framed taking into account the incidents from 25-04-95, and the same was issued to the applicant on 02-08-95 directing him to submit a written statement of his defence and also to state whether he desires to be heard in person, within 10(ten) days of the receipt of the Memorandum. Therefore, the question of penalising the applicant at that stage do not arise. Hence the understanding expressed in the case is without any base and an after-thought. So far question of release is concerned, the fact has been stated in para 3 above.

5. That the statement made in paragraphs 4.4 to 4.7 of the application are admitted.

6. That with reference to the paragraphs 4.8 of the application the Respondents beg to state that no such list of witnesses by the applicant has ever been filed in the office.

7. That the statement made in paragraphs 4.9 to 4.10 of the application are admitted.

8. That with reference to the paragraph 4.11 of the application the Respondents beg to state that the allegation is not true. Both the Enquiry Officer and Presenting Officer are Gazetted Officers having sense of responsibility, decorum and office discipline. Hence, the allegations are insinuation against Senior Officers. The matter has been enquired and reports obtained from the concerned officers.

9. That with reference to the paragraph 4.12 of the application the Respondents beg to state that the applicant submitted a statement on the same day addressed to Respondent No.4 not to Respondent No.5, as stated.

10. That the statement made in paragraph 4.13 of the application are admited.

11. That with reference to the paragraph 4.14 of the application the Respondents beg to state that on the basis of reports filed by the Enquiry Officer and the comments of the Presenting Officer on the allegation made by the applicant, it was considered, that it was not reasonable/practicable to hold the enquiry because both the applicant and his defence assistant indulged in un-wanted arguments and hurled accusations against the Enquiry & Presenting Officers.

Not only that, the written statement submitted by the applicant in response to the Office Memorandum of 02-08-95 was full of lies, contradictions and allegations against the Head of Office, Engineering Head and the Head Clerk and Accountant. Therefore, in accordance with existing CCS(CCA) Rules, 1965, the penalty was imposed.

12. That with reference to paragraph 4.15 of the application the respondents beg to state that the applicant was given all opportunity, from asking him to submit written statement, conceding to his request for defence assistance, and giving an opportunity of personal hearing by the Enquiry Officer. But, the applicant not only non-cooperated with the proceedings but also, hurled accusations against Senior and Responsible Officers which amount to in-subordination and an act of indiscipline. Therefore, the applicant violated all decorum and tried to stall the enquiry.

13. That with reference to paragraphs 4.16 and 4.17 of the application the respondents beg to state that the appeal by Sheikh Md.Farooq vide his application datd 30.11.95 seeking redress against the penalty awarded by the Station Director, Doordarshan kendra, Tura dt. 28.09.95 was not entertained by the concerned authority because the appeal was not routed through proper channel. When another appeal dt. 08.04.96 was received duly forwarded by his controlling officer on 26.04.96 the concerned Dealing Assistant was asked to put up the same in file after the then General Election process, where Doordarshan was very much involved ,

is over as per mention made on the body of the said forwarding letter. Accordingly, the matter was taken up after the General Election was over by asking the Station Director, Doordarshan Kendra, Tura to furnish his comments on the representation submitted by Shri Farooq a copy of which is enclosed vide this office letter of even No. dt. 13th June, 1996. Meanwhile the case was filed on 24.05.96 by Sheikh Md. Farooq on the Hon'ble CAT, Gauhati Bench, Guwahati and as such there was no scope for disposal of the appeal as the same being subjudice in the court of the Hon'ble CAT, Gauhati Bench, Guwahati.

The entire case has since been reviewed on the basis of comments received from Station Director, Doordarshan Kendra, Tura in response to the above mentioned office letter dt. 13-04-96 and it has been found that Sheikh Md. Farooq does not deserve any relief as sought by him considering the enormity of the problems the organisation has been subjected to by him as per the comments forwarded by the Station director, Doordarshan Kendra, Tura.

The review has been done in consultation with the Central Govt. Addl, Standing Counsel, CAT, Gauhati Bench, Guwahati. Shri Farooq has also been intimated accordingly vide this office letter of even No. dt. 17.12.96. (copy enclosed)

14. That with reference to paragraph 5 of the application, the respondents beg to state that the applicant has not raised any new point under paras 5.1 to 5.9 under grounds and all the points have already been replied to in preceding paras, no separate comments are to be given.

15. That with reference to paragraphs 6 and 7 of the application, the respondents beg to state that in view of the position/facts explained in foregoing paras, the applicant is not entitled to any relief as sought for in the application and the same is liable to be dismissed with costs.

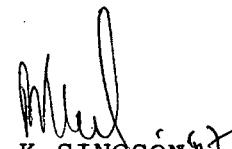
17. That with reference to paragraphs 9 to 12 of the application, the Respondents beg to state that they have no comments being the paras formal in nature.

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

I, P.K.Singson, Deputy Director General (NER), Doordarshan, R.G.Baruah Road, Guwahati-781024, do hereby declare that the statements made in this written statement are true to my knowledge arrived from the records of the case.

I sign this verification of this 9th day of January Nineteen Hundred Ninetyseven at Guwahati.


(P.K.SINGSON)
Dy. Director General (NER)
Doordarshan :: Guwahati
Dy. Director General (NER)
PPC (N E) DEPONENT
Doordarshan
Guwahati-24

STEP BY STEP ACCOUNT OF THE CASE.

Annexure I

(1) DDK: Tura vide its Office Order No. TUA/2 (13)/94-95/S dated 20.04.95, issued assignments to the Ministerial Staff asking all incumbents to complete documentations of their existing assignments for handing/taking over on 25.4.96.
(Copy of Order : Annexure - I)

(2) The Asstt. Stn. Engineer & Head of Engg. submitted a note that Shri Farooq informed him over phone from some unknown place to intimate his family about his well being. Shri Farooq again phoned that he had been released & reaching Office as soon as city Bus Service resumes.
(Copy of note : Annexure-II)

(3) Shri S. M. Farooq, UDC was accompanied by the ASE to the Office room of Station Director at 11.15 A.M on 25.04.95 to narrate the case of his abduction. The Station Director invited the Head Clerk and Accountant to listen along and to decide appropriate action.
Shri Faroqq, in the presence of ASE, Head Clerk and Accountant, narrated his plight and predicaments of abduction in the night of 24.04.95. Shri Farooq, was asked to give the entire account in writing, So that the Office would take up the matter with Police Authorities. But, Shri Farooq/apprehending danger to his family.
Further, he stated that the watch and Ward Staff were not present near the Main Gate when he was escorted out of the Gate by the un-known abductors to a waiting Jeep out-side. It was checked and found that the Watch and Ward Staff were verymuch in their place of duty.

(4) Since Shri Farooq, Store-Keeper, didnot give anything in writing, the gist of his narration was prepared and the members present during his Statement endorsed the contents of the gist.
(Copy of gist : Annexure - III)

Condt.....P/2.

(5) On 26.04.95, ASE informed to Station Director, that Shri Farooq, UDC wants to confess the actual happenings of 24.04.95. The Station Director, invited the ASE, Head Clerk and Accountant to his room, to listen to the Statement of Shri Farooq. It was felt necessary to record his revised Statement made by Shri Farooq in a Cassette Recorder. The summary of the revised Statement was also endorsed by the ASE., Head Clerk and Accountant who were present during both the Statements.

(Copy of summary of Revised Statement :-
Annexure - IV)

(The Cassette in which the Revised Statement is also available for Play-back, if desired.)

(6) The Administrative Association of DDK. convened an emergent Meeting of the Association on and submitted an application to the Station Director to enquire into the matter and to take safety measures.

(Copies of Proceedings : Annexure - V a,b&c)

(7) Both his Statements were examined and it was found that the narrations are un-thinkable in terms of situation, timing and plausibilities and inconsistent. Further, the statement of Shri Farooq, created a sensation and panic in the Office, disturbing the peace in Office. Therefore, a Memorandum was issued vide No. TUA/7(2)/95-S/(SMF) dated 27.04.95, asking his explanation as to why disciplinary action shall not be initiated against him for concocting such story and creating panic.

(Copy of Memorandum: Annexure - VI)

(8) Shri Farooq, in response to the Memorandum, submitted an application (dated 30.04.95/ 01.05.95) on 01.05.95, which explained nothing except admitting his confession on 26.04.95 as true without any reference to the incidents and his statement of 25.04.95.

(Copy of Application : Annexure - VII)

(9) The Head Clerk vide noting page 10/11 in File No. TUA/7(2)/95-S/(SMF) dated 01.05.95 put up the case and suggested initiating a departmental enquiry as per CCS (Conduct) Rules. It was noted that the explanation submitted by Shri Farooq, was not found convincing and satisfactory. It was ordered on file that a Departmental enquiry be made.

(Copy of notings : Annexure-VIII)
Condt.....p/3.

(55)

(10) The Station Director was pre-occupied with revision of Programme activities, Zonal Co-ordination Meeting in the month of May '95. The handing over of Engineering Stores and Physical Verification of Stores were prolonged by Shri Farooq upto 03rd July '95 - stretching two months beyond the stipulated date. The Asstt. Station Engineer, suddenly left the Station on leave on 05.07.95, followed by the hospitalisation of the Station Director. Shri Farooq, too left Station on Casual Leave and compensatory off till 16th July '95. Therefore, the process of departmental enquiry got delayed. The file on the enquiry was put up by Head Clerk and SAO on 18.07.95, suggesting appointment of an Inquiry Officer.

(11) It was decided to appoint the only available Group 'A' Officer, Shri R. S. Kotwal, Assistant Station Director of the Kendra as Inquiry Officer. This was decided on 18.07.95. The Order was issued on 24.07.95. (File No : 7(2)/95-S(SMF) Note page 11/12). Simultaneously, as per noting on Page-13/14 charge Sheet with annexures were put-up for approval alongwith proposal to appointment of a presenting Officer between - 28.07.95 and 05.08.95 and the same were issued on 02.08.95 and 05.08.95 respectively.
 (Please refer notings : Annexure - VIII)
 (Copy of Charge Sheet and Orders : Annexure : IX , X & XI).

(12) The transfer Order of Shri S. M. Farooq, UDC, in the same capacity vide DDG(NE) Doordarshan's Order No : DDG(NER)/DD/14(6)95-SII dated 22.07.95 was received by this Office on 29.07.95.
 (Annexure : XII)

(13) This Office, vide Fax Message No: 14(6)95-S dated 01.08.95 informed the DDG(NER) Doordarshan that a Departmental enquiry was under process and the transfer Order may be kept in abeyance till enquiry is completed.
 (Copy of letter : Annexure - XIII)

(14) DDG(NE) Doordarshan, vide his letter No : DDG(NER)/DD/14(6)/95-SII dated 16.08.95 advised the Kendra to expedite the case.
 (Copy of letter : Annexure - XIV)

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(15) Shri S. M. Farooq, UDC, in response to the Memorandum and Chargesheet dated 02.08.95 submitted a written statement on 14.08.95, denying all charges and refuting the contents of his statements made on 25.04.95 and 26.04.95. He even refuted that none were present during his statement and alleged that the ASE did not take any step to rescue him contradicting his own statements made earlier. (Copy of Statement : Annexure - XV)

(16) This Office, forwarded a copy of the statement made by Shri Farooq, to the ASE on leave to Hyderabad, seeking his comments on the denials and allegations made by Shri Farooq. (Copy of letter : Annexure - XVI)

(17) In the mean time, Shri Farooq, was summoned by the Inquiry Officer on 11.09.95 for the Inquiry on 15.09.95. (Copy of Summon : Annexure : XVII)

(18) The comments of ASE on leave, in response to this Office letter dated 25.08.95, was received by the Office on 12.09.95. The comments of ASE proved that Shri Farooq, has taken recourse to false-hood and implicating the ASE. (Copy of Comments : Annexure - XVIII)

(19) The Inquiry was held on 15.09.95 in the Office where Shri Farooq, UDC and his defence assistant made noisy scene, and did not allow the Inquiry Officer to proceed with the case, as reported by the presenting Officer and Inquiry Officer. (Copy of Report : Annexure - XIX & XX)

(20) On the same day i.e. 15.09.95, Shri Farooq, UDC, in his application alleged against the Inquiry Officer, stating that the Inquiry Officer used 'Obnoxious words'. (Copy of application : Annexure - XXI)

(21) The comments of the presenting Officer was sought, and the presenting Officer stated in his note dated 18.09.95 that both Shri Farooq and his defence assistant tried to interrupt the proceeding and could not be prevailed upon to co-operate. (Copy of note : Annexure - XXII)

(22) The defence assistant in an application dated 18.09.95 intended to withdraw as Defence Assistant alleging that the Inquiry, Officer used 'Obnoxious & un-parliamentary words. (Copy of letter : Annexure - XXIII)

(23) Reviewing all the papers relating to the Inquiry held on 15.09.95 where two Senior Officers were found to have been falsely implicated by Shri Farooq and his defence assistant and the attempt to obstruct the proceedings, as put up in File No. 7(2)/95-S(SMF) on Note-page 16,17,18, & 19, by Head Clerk and Senior Administrative Officer, a Major penalty of reduction to a lower stage in the time-Scale of Pay as per CCS(CCA) Rules 1965 was proposed
(Please refer to Annexure - VIII)

(24) The Order of Penalty was issued on 28.09.95.
(Copy of Order : Annexure - XXIV)

(25) Shri S. M. Farooq, UDC, was relieved of his duties at this Kendra on 31.10.1995, with instruction to report for duty at DDMC, Itanagar.
(Copy of Order : Annexure - XXV)

____oo0oo____

*Attested
JMK/Chand
16/10/95*

Government of India
Doordarshan Kendra Tura: 794001

No. TUN/2(13)/94-95/S//S.6 Dated Tura the 20th April '95.

OFFICE ORDER

The following assignments are hereby ordered in respect of Ministerial Staff working at this Kendra with effect from 26.04.95 until further orders.

The assignments are not exhaustive and any other assignments made from time to time in exigencies of service shall be attended to. All relevant files, documents should be completed by 25.04.95 and handed/taken over.

Pending works, if any, shall be reported to Head-Clerk / Accountant / Sr. Administrative Officer by 26.04.95 for further necessary action.

ADMINISTRATIVE SECTION UNDER THE SUPERVISION OF HEAD CLERK

01. Shri Samsuddin Ali, UDC

Supervision of Group 'D' Staff including leave cases. To keep watch over Office block, Transmitter, Studio, ENG, Technical Areas etc. and shall ensure cleanliness of the above premises. Any damage/repair/loss etc. shall be reported to the Section Head for necessary action. Maintenance of priority list of Shift and Non-shift personnel separately and allotment of residential accommodation. Attending to Electricity, water charges, Holidays list etc.

02. Shri S.M. Faroog, UDC

Recruitments, Verification of character & antecedents, medical examination, posting/transfer/promotion, training and all other allied service matters of Gazetted & Non-Gazetted Officers. Pension & Gratuity, Welfare activities, Delegation of Power, maintenance of incumbency register, correspondence reg. additional posts, parliament questions etc.

03. Shri B.C. Hazarika, UDC

All leave cases of Gazetted and Non-gazetted Officers, maintenance of personal files, service books and leave accounts. maintenance of casual leave account, compensatory offs etc. Departmental Examinations, Confidential reports of all staff, probationary period, confirmation and EB crossings etc.

04. Shri K.Roy Choudhury, LDC

All statements/returns relating to Administrative section. processing of telegram/telephone/electricity bills. Renewal of abbreviated telegraphic address and post box etc. Seniority list of all staff, contingent paid staff, purchase of books & periodicals, payment to Armed Guards, Liveries of Group 'C' & 'D' Staff.

05. Shri R. Gurung, LDC

General typing, filings and any other important nature of works assigned to him by Head Clerk & Accountant from time to time. Requisitioning and up-keep of Service postage stamps, purchase/maintenance/hire of furnitures, fittings, equipments, indexing, weeding and destruction of old records etc.

06. Shri L. Basan, LDC

Will look after the duties & responsibilities of transport section. Supervision of Drivers, preparation of duty charts, purchase of FOL items, spare parts, tyres, tubes, battery etc. Attending to repairs/maintenance of Motor vehicles, maintenance of car/petrol log books, history sheets of tyres, batteries etc under the supervision of SAO/HC/ACCTT.

07. Smti. Sanjitha K. Marak, Stenographer (Jr. grade)

To attend to Administrative matters of Station Director, Diary/Despatch, routine typing works, filings etc.

ACCOUNTS SECTION UNDER THE SUPERVISION OF ACCOUNTANT01. Shri Kajal Bhattacharjee, UDC

To assist the Accountant in the preparation of RE/BE, Proforma Accounts, Book debits, Audit objections, maintenance of appropriation registers, reconciliation of expenditure etc. TE(Tour/Transfer) bills/LTC/Medical bills, monthly, quarterly, annual statements, Income Tax/Professional Tax etc.

02. Shri Santosh Das, LDC

To attend to Increments, preparation of firm bi Salary bills, PP & SS bills, Festival/Cycle/Scooter/HBA advance maintenance of pay bill register etc.

03. Shri Subash Choudhury, LDC

Preparation of Salary/OTA bills, CCA, HRA, SDA SCA, General Provident Fund subscriptions/recoveries, GPF adva CGEGIS, PLI etc. Issual of Last Pay certificates and any other works/correspondence relating to pay & allowances.

04. Shri Chiradeep Ghosh, LDC

Shall act as Cashier, maintenance of Cash box relevant registers & files, upkeep and safe custody of vouchers, maintenance of imprest accounts, firms payments, artist payment etc.

05. Shri P. Gurkayastha, LDC

Purchase & issue of Stationary articles, forms and registers, consumable stores etc. and maintenance relevant registers and files, Hospitality expenses, Identity cards, typings, filings pertaining to Accounts section and other works assigned by the Accountant/Head Clerk/Assistant time..

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(b)
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- 3 -

ENGINEERING STORES UNDER THE SUPERVISION OF AGE/SE

01. Shri V.S. Johnson, UDC

Shall act as Store-keeper and will be responsible for purchase & issue of various Engineering stores, maintenance and upkeep of Machinery & Equipments, placing indents with suppliers/ manufacturers, maintenance of stores ledgers, SRBs, SIBs and other relevant registers and files etc.

02. Shri Anjan Kr. Deb, UDC

To attend to routine administrative work of Assistant Station Engineer/Station Engineer and to assist the Store keeper as and when required. typings, filings etc.

All the incumbents shall keep in readiness the Files, Registers and others records in their possession in neat and tidy condition before 25.4.95 and shall handover/takeover the records pertaining to their assignments on 25.4.95(A/N).

Necessary handing over/taking over notes shall be prepared in triplicate and shall be signed by the charge relinquishing/assuming officials accordingly.

Handover
(H.Rachid) 21/7/95
Sr. Administrative Officer
for Station Director

21/7/95

*Attended
H.Rachid
21/7/95*

As discussed, there were two phone calls by Sri S.M. Favaro, from the Central government, at about 2200 hrs and 2315 hrs on 24.4.75, purporting to intimate the family about his (Sri Favaro) well-being at an unknown place.

Again there was another call at about 0830 hrs on 25/4/75, stating that he (Sri Favaro) was released and reaching home as soon as the city bus service resumes.

and in
A.W.

Shresth
MK Chaudhary

Addl. Central Govt.
Standing Counsel.

(As narrated by Shri S.M.Farooq, Store keeper in the presence of Shri P.Uma Reddy, ASE; Shri K.Sasidharan, Head Clerk and Shri D.C.Sharma, Accountant on 25.4.95 at 11.15 AM)

Incident on 24.04.95 (with cross notes):

01. Shri Farooq closed Engineering stores at 7.40 PM and came out of Office premises. Two unidentified hefty persons standing near the Flagpost in Office Campus accosted him and escorted him to main road, through the main gate of DDK, Tura to a waiting jeep, with another 3 persons in it. When asked, whether there was any Security Guard or Armed Guard at the main gate, at the time of his being taken by the two unidentified persons; Shri Farooq, stated that; the gate was found, unmanned at that time (which was subsequently found not to be true).
02. Shri Farooq was forced into the jeep; and was taken to the nearby Dakopgre play-ground and was asked questions about complaints allegedly made by him against Station Director. Shri Farooq pleaded innocence. Then, he was again forced into the jeep and taken to the lane leading to Tetengkhol, at the junction near Circuit House. On the way Shri Farooq noticed DDK Jeep returning after dropping local transmission shift staff at Public Health Engineering Office near Araimile. His mouth was cupped by his ~~men~~ abductors by hand when he tried to beckon the driver.

Shri Farooq was asked to sign a blank paper at that point, which he refused to do. Then he was blind folded, and taken to an unknown destination. (At that point Shri Farooq, noticed DDK Car passing after dropping ASD at Bus Stand).

03. Shri Farooq, felt that the Jeep crossed a bridge like that before Rongkhon.
04. Shri Farooq was kept captive in a dimly lit room with a red colour telephone. The abductors asked Shri Farooq to telephone to the Residence of Assistant Station Engineer and specifically asked not to ring to Station Director's residence, to inform that he is safe with friends. (Shri P.Uma Reddy, ASE informed the SD at around 10.40 PM on 24.04.95 that Shri Farooq, as told by him, was chased by three unknown persons and is taking refuge in a friend's house in the night).

... 2 .

3

05. Shri Farooq, found all the five persons enjoying drinks and taking the chance again telephoned to ASE's residence at 11.30 PM that 5 persons are holding him in captivity. (At this point, when asked, why he did not inform SD, he stated that he was terrified and one person was watching him. But ASE said that when he asked whether to inform SD, Shri Farooq, didnot want so), ,
06. Shri Farooq was released by his abductors early in the morning of 25-04-95 in the same jeep at a point near Don Bosco School. From there, Shri Farooq came walking to Chandmari and telephoned to ASE from a lady's house at 6.30 AM on 25.04.95 that he has been released and as soon as he gets City Bus, he will report. Shri Farooq did not identify the lady or the house from which he telephoned in the morning to ASE. On being asked why he did not telephone to SD at that point, he avoided to reply.
07. Shri Farooq was asked to give the happenings in detail

so that proper investigation could be made, as this is a very serious matter in the history of Tura in general and DDK, Tura in particular.

source:

1)

2) D.C. Sharma, Accountant ^{1/4/95}
3) K. Sasidharan, Head Clerk ^{26/6/95}

Mr. Edward
H. C. Church

Appendix V

While Shri Farooq was contacting for delivery of Fire Fighting Equipments over phone from ASE's residence, his wife came & reported that Mrs. Johnson is up-against her with a stick threatening to beat her up. Shri S.K.Sinha, AE who was present there asked him to report to the Station Director, but he declined to report and said that he will not return to quarters.

Shri Farooq then left ASE's quarter and went to Office and telephoned SD regarding Mrs. Johnson's threat. From Office, he went to AIR Colony to report to the Head Clerk about this who advised him to report the matter to SD and not to him. Shri Farooq then left AIR Colony and went towards a tea stall on the roadside. When he crossed main gate of AIR, he found two persons following him and asking him to stop. As, he was in tension, he ran towards press quarters. Finding four persons following him, he ran towards FIE Office, when he saw DDK Jeep crossing him. Shri Farooq reached near the Kendriya Vidyalaya and requested a Teacher to use the Telephone. The teacher said as the rooms were closed, he better go to Principal's residence for telephone.

Shri Farooq did not enter Principal's residence as there was a dog. He then approached a lady staying behind principal's residence from where he made a telephone call to Pradip Electricals at 8.30 PM requesting him to send a vehicle.

He then sat near a small shop for an hour or so, when he saw the car of Pradip Electricals passed. Again he found the four persons appear and in panic he took to his heels behind Kendriya Vidyalaya and reached Civil Hospital - where he spent the whole night and made all the telephone calls, as stated on 25.04.95 to ASE's residence (no change in contents).

In the morning of 25.04.95 after the last call at 6.30 AM to ASE, he took a city bus and went to Tura Bazar. He came to Office at 9.30 AM.

(B.K.MOHANTY)
STATION DIRECTOR

(P.Uma Reddy, Asstt. Station Engineer)

(K.Sasidharan, Head Clerk)

Attested
J.M.C. Chellu

Addl. Central Govt
Standing Council

18

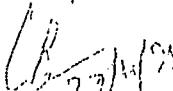
18
Sir
The Station Director,
Doordarshan Kendra,
Tura.

Sir,

An emergent meeting of the All India Radio and Doordarshan Administrative Staff Association, Doordarshan Kendra, Tura Unit was held in the Accounts and Administration Section on 26.4.95 at 4.30 P.M. to discuss about the incident regarding the abduction of Shri S. M. Farooq, UDC/ Store Keeper on the night of 24.4.95 at 7.40 P.M. by some unidentified persons from the Office complex.

Members present expressed deep concern over this incident and unanimously adopted the resolution to request the Station Director, Doordarshan Kendra, Tura to take immediate appropriate action in this regard. If need be, he may please be given protection.

Yours faithfully,


(V.S. JOHNSON)
UNIT SECRETARY,
ADASA, DDK, TURA.

Dated Tura, the
27th April 1995.

Attended
PKC
Addl. Central Govt.
Standing Council

19

(a)

General body meeting of the Administration
Staff Association was held in the Assembly
in Administration Block on 28.4.78 at 6.30pm
to discuss about the reduction of Staff
and Pay, etc.

The following members have passed:

- (1) Shri D. C. Kumar 100/- ~~100/-~~
- (2) Shri K. Gururaman 100/- ~~100/-~~
- (3) Shri C. A. C. 100/- ~~100/-~~
- (4) Shri M. Jayaram 100/- ~~100/-~~
- (5) Shri K. Bhattacharya 100/- ~~100/-~~
- (6) Shri B. C. Nagarkar 100/- ~~100/-~~
- (7) Shri Sandesh A. 100/- ~~100/-~~
- (8) Shri J. Prasad 100/- ~~100/-~~
- (9) Shri K. Jayaram 100/- ~~100/-~~
- (10) Shri P. Prakash 100/- ~~100/-~~
- (11) Shri C. Chaitanya 100/- ~~100/-~~
- (12) Shri Arjun A. 100/- ~~100/-~~

In the Conference after the meeting
resolution is taken unanimously to send
the request to Chief Director, D.R.T. to
take immediate appropriate action in this
regard. It was also decided to request
the Chief Director to take proper action
to Shri S. S. Chaitanya in the same
direction.

(L. S. S. Chaitanya)
(S. S. Chaitanya)
C. D. R. T.

Affected
M/s
S. S. Chaitanya

It is demanded that the members of the
meeting of the Administrative Staff Association
in this Association shall be informed that on 26th July
at 12.30 P.M. the General Secretary of the
Association will address the members of the
meeting on the changes on the night of
Wednesday, members may then discuss any other
matters relating to the service conditions of the
Administrative Staff.

Brachypodite

1.	<i>Salvinia natans</i>	abundant	—
2.	<i>Hydrocharis morsus-ranae</i>	abundant	abundant
3.	" <i>Trapa</i>	abundant	abundant
4.	" <i>Stuckenia pectinifera</i>	abundant	abundant
5.	" <i>Utricularia</i>	abundant	abundant
6.	" <i>Elodea canadensis</i>	abundant	abundant
7.	" <i>Brassia</i>	abundant	abundant
8.	" <i>Utricularia</i>	abundant	abundant
9.	" <i>Elodea</i>	abundant	abundant
10.	" <i>Stuckenia</i>	abundant	abundant
11.	" <i>Salvinia</i>	abundant	abundant
12.	" <i>Hydrocharis</i>	abundant	abundant
13.	" <i>Utricularia</i>	abundant	abundant
14.	" <i>Elodea</i>	abundant	abundant
15.	" <i>Brassia</i>	abundant	abundant

Alfred
Mell

No. TUA/7(2)/95-S/(SM)/

Dated Tura, 27th April 1995.

MEMORANDUM

On 24th April 1995 at around 10.00 P.M., Shri S. M. Farooq, U.D.C./A Store Keeper, informed the Assistant Station Engineer over phone that he had taken refuge at a friend's house after being chased by three unknown persons. Again Shri Farooq, telephoned to A.S.E., at around 11.15 P.M. on the same day, that he had been under captivity by five unknown abductors at an unknown place from where he made the earlier call under threat.

The next day i.e. on 25.4.95, Shri Farooq, telephoned to A.S.E., at around 6.30 A.M. that he had been released by his abductors and would reach home as soon as city Bus Service resumes.

2. Shri Farooq, then narrated his plight of abduction from office campus from 7.00 P.M. of 24.4.95 to the morning of 25.4.95, in the presence of A.S.E., Head Clerk & Accountant in the office of the undersigned at 11.30 A.M. of 25.4.95 and declined to submit a written statement, apprehending serious consequences from his unknown abductors.

The matter was informed to C.S.(E2) & DDC(HP) who advised for a detailed investigation and final report to be submitted to Director General, Doordarshan.

3. On 26.4.95, Shri Farooq, UDC, tended to "confess" the exact happenings, and again, in the presence of A.S.E., Head Clerk and Accountant, narrated that while returning from A.T.T. Colony, he was chased by three unknown persons and rushed towards Tura town in panic being followed by the chasers. He, took refuge in the Civil Hospital, the whole night and made all the calls from there. Shri Farooq, then went to Tura Bazaar, from Civil Hospital and returned to Office at 9.30 A.M. on 25.4.95.

All the above statement/narrations are full of inconsistencies and appear to be fabrications. This has also created tension and seriously taken note of, for further necessary investigations on fabricated stories.

As such, the act and conduct of Shri Farooq were such that all reasonable men will distrust the employee and doubt the integrity of the employee, as per C.C., Conduct Rules.

Contd.....P/2.

Shri Farooq, U.P.C. is hereby asked to explain within 48 (forty eight) hours of the receipt of the Memorandum why severe disciplinary action shall not be initiated against him for disturbing peace at Office and spreading panic.

(U. S. MARITIME)
SEASIDE DIRECTOR.

10

Shri. S. H. Farroq,
U.D.C./Store Keeper
Boordarchan Mandir
Surat.

Copy to :-

- (1) Assistant Station Engineer(R.), Doordarshan Kendra, Tiara.
- (2) Deputy Director General (Sound & Vision), Doordarshan, New Delhi.
- (3) Deputy Director General (R & D), Doordarshan, Mumbai.
- (4) Chief Engineer (EE), AIR & TV., Calcutta.
- (5) Unit Secretary, ADASA., Doordarshan Kendra, Delhi.

STATUTORY REQUIREMENTS.

2115

Petered
me

To

The Station Director
Doordarshan Kendra
TURA-794001 (Meghalaya)

23

ANNEXURE-VII

Sir,

It may be stated vide memo No. TURA/7(2)/
759/SMF/136 dt. 28-4-95 that whatever I Confessed
to the Station Director on 26th of April is True.

I realised on 26/4/95 that I had done a mistake
on 24-4-95 when my consciousness did not
function normally, As my mind was totally
disturbed by the incidence happened on 23 and
24th April '95 when my family members were
threatened for life by Mrs Sonshon in front of
my Guater. I now feel ashamed for the after
effect and apologise to your goodself to
Pardon me.

I assure you that I shall not be indulged
with such type of activities in future.

Thanking You

Dated 30-4-95
01-5-95

Doordarshan Kendra: Tura
Dairy No ... bid 1.5.95.

Yours faithfully
S. M. Farooq
(S. M. Farooq)

UDC/Store Keeping
DDK: TURA

affacted
M. Farooq
M. Farooq

Harmain XIII 24 (N-10 to 19)

On, important communication wanted for
Shri S.M. Farooq, UDC/Station keeper was to have
delivered on this day i.e. 28.4.95 and he was
not found in his seat from 11.30 AM onwards
during the 1st session. DSF may kindly enquire
and report the matter to the Station Director.
Submitted for OA/PL please.

D. M. D. D. D. D.
28/4/95

Sri Farooq was asked to make arrangement
for purchase of diesel for generator, during
the store-trip. He has returned
back by public transport after performing "Friday Prayers".

Dear, Hon'ble

29/4/95

Subject: - Submission of Ex-Planation
by Shri S.M. Farooq, UDC.

With reference to this Office memo no.
7007/72/95-S/SMF/136 dt. 28.4.95, directing
Shri S.M. Farooq to submit his explanation
regarding his abduction from ODC office
Completed on the night of 28.4.95, he submitted
his explanation to the office on 1.5.95 stating
his position in this regard.

While going through the statements
of Shri Farooq of 28.4.95 and 26.4.95 as
narrated by him in the presence of the
SD, DSF, H/o S.M.C. is full of contradic-
tions. The whole affair is concocted with
the intention of harassing/implicating

23
62

This may also be viewed very
and Departmental enquiries/proceedings may
be initiated against him as per CCS (conduct) Rules
and CCS (CCA) Rules accordingly.

Submitted for S/o A. P.

S/D

Bardhaon

01/5/95

Yes, I agree. An Upper Divn. Clerk
having four years of experience in
responsible position, has all on a
sudden taken recourse to sensationalise
the office. Creating a make-believe
drama. Even, if, it is perceived that
he was chased - with no apparent
motive, the facts stated by Shri.
Farooq relating to the manner,
route and refuge including telephone
calls made at different time, fail
to convince the office.

1. This explanation, therefore, is not
convincing and misleading. It is
confusing, misleading and insinuating.
2. Departmental enquiry be made,
following the CCS (conduct) Rules; within
a fortnight.
3. CCS (CCA) Rules; within
a fortnight.

(Signature)

1.5.95

ASG may please
see & differ his observations.

S/o A. P.
1/5

H.C.

Arre. may follow up. Subject - Discontinuance of Inquiry
officer.

In continuation of the intimation above,
an Inquiry officer may be appointed to conduct
the departmental Inquiry.

Under Article 144 of the CCS (CCA) Rules 1963
provided that the concerned authority may itself
inquire into the charge against the concerned func-

(1)

General order to appoint an Inquiry Officer for the purpose.

26 19
(2)

The General rule in this regard is that the disciplinary authority himself does not conduct the Inquiry. But, there is an exception to this provision viz. in small field formations where the disciplinary authority as well as the inquiry officer may have to be one and the same person.

Submitted for Sir (or Please),

B. M. D. D. G. P. A.
29/6

SD
SD

SD may kindly decide whether he can appoint an enquiry officer or to conduct the enquiry by himself as an enquiry officer.

SD

SD may appoint an Enquiry Officer. It is not understood, why Enquiry Officer. It is not understood, why this file was delayed for sanction.

OK
12/7

Pl. Put up order for appointment of Enquiry Officer as instructed above as per Annexure II item no. 8 of the CCS (CCA) Rules along with the change.

SD

Attn

Order for appointment of Enquiry Officer in the prescribed proforma as per CCS (CCA) Rules is put up for signature please.

Pl. issue

SD
24/7

OK
24/7

SD
24/7

27

In continuation of writing page 1122 l.h.o
 Charge sheet and Annexures in connection
 with the abdication of Shri S.M. Farooq, U.D.
 are put up for approval please.

26/7

8/7/0

(i) The memorandum is required to be submitted by
 the disciplinary authority and not by the Inquiry
 authority plz

(ii) In view of the fact that Mr. Bandy's note stated
 3/6/75 a "1st" order at page 26725 1-28
 (only assignment file) whether the authority
 to charge is in Annexure II the disciplinary authority
 or charge should be implemented etc. It
 be indicated from the charge sheet, as
 the 1st order released from Government Lips
 has been finally released from Government Lips
 may also following to be indicated plz

26/7

8/

SAO may pl. put up the notes relevant notes stated
 above and suggest amendment. But, so far, I remember
 the assignment order was issued much earlier stipulating
 date of handing over charges - after which Shri
 Farooq created a commotion - much before June & July
 '95. SAO should be categorical in administrative
 advice either on note or with discussion.

26/7

No objection with me, the charge sheet may be issued
 in Annexure II. The notes mentioned above.

26/7

8/7/0

The Presenting Officer is
 responsible to be responsible to present
 the case of his office with all necessary
 documents to the court of disciplinary in
 effect please

26/7

8/7/0
c/o

26/7/0

SAO should have quoted the provisions and advised accordingly. It appears
 either, he is not aware - or creates. Never the less, since, it is a case of
 Administrative impropriety & insubordination, Shri M.Rashid, Sr.A.O., shall
 present the case as "Presenting Officer", and do the needful to complete
 the enquiry by 25th August '95.

from pre-charge on (14) (M)

28 (18)

Charge Sheet and Annexures
formed against Smt. S. M. Faruqui, UDC
were put up for signature please. (18)

21/8

There should be an O.O. for
Presenting Officer also.
Pl. issue. (18)

Office orders for information
of Presenting Officer in connection
with the charge sheet of Smt. Faruqui,
UDC to put up for signature. (18)

Present from M.C. Section 21/8

21/8

Pl. issue. (18)

21/8

In reponse to this office memo
no. 21/8 dated 2-8-75 Smt. S. M. Faruqui,
UDC has submitted a written statement
dated 14-8-75.

A draft preamble comments
is placed on file for approval please.

21/8
This memo from the memo is not draft
and is ready for distribution. Pl. issue. (18)

Pl. issue the memo and expedite
the drafting to be completed by 18th
Sept. 1975. (18)

21/8

Pl. issue (18)

21/8

E.O. put up for signature please. (18)

Pl. issue. (18)

21/8

21/8

21/8

21/8

29
29
Shri S. M. Farooqui, U.D.C. has
submitted an application, seeking permission
to defend the inquiry case, by Shri D. C.
Divedi, S.G.A of this Board, and he got an
order of permission.

As per case (CCS) rules, the accused
may take the help of any Govt. Servant
of the same Department or any other Department
of the same Government or other departments
may be permitted places.

SAB
117
He may take the help of any Govt. Servant
from other same Department or from other Department but not
a legal practitioner as the disciplinary authority has not
appointed any legal practitioner as Presenting Officer in this case
PL

As per SR/PR - if admissible - permitted.
CCS

179
OK

Shri R. S. Katalal, also may reasonably
take on his own behalf to inquire
the case of Shri S. M. Farooqui, U.D.C, Please

SAC

He may proceed with the inquiry case.

*(Informed Shri Divedi that
he is not allowed to be present)*

1179
If Mr. Divedi's attendance is under
CCS admissibility first we should
get his consent in writing. We may
hold this inquiry on 14th or 15th Sept at 2.00 p.m.
in S. C. Room, Parliament to conduct this
in it's proper manner.

OK

1179
The 14th is not available but the 15th is available
for hearing of Shri S. M. Farooqui in the inquiry case of Shri D. C. Divedi
on 15th Sept. 1971.

*(Informed Shri Divedi that
he is not allowed to be present)*

1179
We may hold the inquiry on 15/9/71
in S. C. Room, Parliament (contd.)

VI. Being on the way to Inquiring Officer for
Information - 2, 1995

F. C. Name for inquiry is put up
for signature please.

11/9 2, 1995
C. C. (Signature) (Dated) (11/9/95)

Subject: - Departmental proceedings against
Shri S. M. Farooq, UDC, DOK, TUSA -
findings of.

A departmental inquiry was scheduled
for 15.9.95 at 2.00 P.M. in S.E.'s room to inquire
into the charges framed against Shri S. M. Farooq,
UDC, DOK, TUSA vide his Office Memorandum
No. 7(2)/7.5-5 dt. 2.8.95.

The following officials were present:

- ① Shri R. S. Kotwal, ASD - Inquiry Officer.
- ② Shri H. Raheem, SDO - Presenting Officer.
- ③ Shri S. M. Farooq, UDC - Accused Govt. servant.
- ④ Shri D. C. Pawar, S.E.A - Defence Assistant
for the accused Govt.
servant.

The Inquiry Proceedings could not take
place on the said date & time for reasons stated
in the notings of Inquiry Officer & Presenting
Officer dated 15.9.95 and 16.9.95 respectively.

Contd on next Page.



Shri Sanjay did not respond to any or the query asked by the Enquiry Officer. From the contents of the Enquiry Officer and his Office, it is clear that the accused Govt. servant and his closer assistant did not co-operate with the Enquiry Proceedings and their conduct in this regard amounts to general indiscipline and misbehavior in the service of the time. The attempt to hold the Inquiry is hereby rejected.

The Statement(s) of Shri Sanjay, UOC No. 25/1/95 & 26/1/95 about his purported abduction is full of contradictions and concocted.

His written statement dated 14.8.95 with reference to the memorandum alongwith Articles of Incorporation in Appendix T-IV dated 2.8.95 obviously failed in reliving him from ^{any of} the charges framed against him. In this regard, this office memorandum of ~~Ex~~ Mr. J.C./95-5 dt. 31.8.95 may please be referred.

Under these circumstances, the disciplinary action since the accused Government servant

The Enquiry Officer's decision to have the Enquiry Proceedings ^{audio} recorded is just and reasonable owing to the fact that

"Mr. Sanjay is available to record the Proceedings in English/Hindi, as charges are in English and Accused Official and his Defence Assistant are Hindi speaking and presenting officer is not capable to record any statement in Hindi, so that, by playing back, the points/statement can be confirmed for all concerned and it will also facilitate transcribing easier."

Further, the accused Government servant is in the habit of changing his version from time to time, as will be often.

Given under the circumstances stated above, the disciplinary authority after going through the case records thoroughly concluded that it is reasonably practicable to hold the Enquiry no further.

Therefore, the competent authority i.e. the Education Director, D.O.T., Tum. under sub-rule (2) of fundamental Rule 29 impose on Shri S.M. Farooq, UDC the penalty of deduction to a lower grade/post in the lower time-scale as follows:-

M
(S/o) S.M. Farooq is promoted to
the lower Post /grade of LDC until
he is found fit by the competent authority
to be endorsed to the higher Post /grade
of "DLC"

This order will take place.

A.E.F. _____ and will be in operation for a period of 3 years. Q.D. .

Such depreciation the government servant will not regain his original seniority in the higher service, grade, or post of higher time-scale which has been assigned to him prior to the imposition of the penalty.

Submitted for info. Please.

23/11

(Contin'd.)

33
80From Pre-Page

However, the Defence Party may assist the Committee
by providing, presenting and cross-examining the witness if
any, and giving all the material to the Inquiry Officer
and the Committee Officer in the interest of practical operation.

The CIO is then to furnish the CIO, already submitted
his report on the ongoing date 17/7/75 and also give
his comments about 16/7/75 on the complaints made by
the accountants at para 67 & 70 respectively.

Since the accountants are defense witness, concerning
cooperating with the Inquiry Proceedings and their conduct
in this regard amount to a general interpretation and in substance
direction purports at this time the attempt to limit the
enquiry, it is proposed to issue a notice purporting to the accountants
S.M. Inquiry and reducing them to the effect that
the witness will be or may be under the direction & control (see 8A)
rule 19(2)(i) clause (c) and under rule 11(2) of C.S. (see A) Rule
19(2)(i).

2.579

As proposed, Draft may, please be put up.

(P)
2.579.

SAC/Officer

Draft order is put up for
approval please.

2.579

SAC

Approved.

(P)
2.579

F.O. Order is put up for signature pl.

2.579

2.579

(P. Justice
D.P.A.)

2.579

Attended
SAC
Addl. Central Govt.
Statistical Bureau

No. 7(2)/95-S (SMF) 12256

Government of India,
Ministry of Information & Broadcasting,
Doordarshan Kendra, Tura.

Dated the 2nd August, 1995.

Annexure IX

MEMORANDUM

The undersigned proposes to hold an inquiry against Shri S. M. Farooq, U.D.C., under Rule 14 of the Central Civil Services (Classification Control & Appeal) Rules 1965. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure - I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

2. Shri S. M. Farooq is directed to submit within 10 days of the receipt of this memorandum a written statement of his defence and also to state whether he desires to be heard in person.

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

4. Shri S. M. Farooq is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 14 of the CCS(CCA) Rules, 1965, or the orders/directions issued in pursuance of the said rule, the inquiring authority may hold the inquiry against him ~~ex~~ ex-parte.

contd...2/-

Attested
MM
Central Govt
Standing Committee

5. Attention of Shri S. H. Farooq is invited to Rule 20 of the Central Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any Political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Shri S. H. Farooq is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the CCS (Conduct) Rules, 1964.

6. The receipt of the Memorandum may be acknowledged.

To
Shri S. H. Farooq, U.D.C.,
Doordarshan Kendra, Tura.

(B. K. MISHRA
STATION DIRECTOR)

Copy to :-

1. Shri R. S. Kotwal, Inquiry Officer, DDK, Tura.
2. The Presenting Officer, DDK, Tura. (M.H. Raheja, SNG)

Statement of articles of charge framed against
Shri S. M. Farooq, U.D.C.

36

Article - I

That the said Shri S. M. Farooq while functioning
as UDC (Store Keeper) during the period April, 1995 to June,
1995 disobeyed the office orders.

Article - II

That during the aforesaid period and while
functioning in the aforesaid office, the said Shri S. M.
Farooq "indulged in gross irregularity and negligence in
the discharge of official duties with a dishonest motive".

Article - III

That during the aforesaid period and while
functioning in the aforesaid office, the said Shri S. M.
Farooq "breached the Security measures of the Vital
Central Government Institution and thus implicated the
watch and ward officials on duty on that days in the
concocted abduction case".

ANNEXURE - II

Article - I

Shri S. M. Farooq, UDC(Store Keeper) was asked
to handover charge of the Engineering Stores vide office
Order No. TUA/2(13)/95-S dated 20.4.95 to the designated
person by 26.4.95. Shri S. M. Farooq did not handover
charge of the Engineering Stores by that specified date
on one pretext or the other.

Article - II

Shri S. M. Farooq did not keep the Engineering
Stores records (Viz. Store Received Books, Store Issued
Books, Store Ledgers, Defective Store Ledger, Register
of Empties etc.) in readiness and did not submit those
records to the Accounts Section from time to time as
laid down in the Doordarshan Manual which is gross
irregularity and negligence in the discharge of his
official duties with a dishonest motive.

Article - III

contd...2/-

Article - III

Shri S. M. Farooq concocted abduction case of himself on the night of 24th April, 1995 and stayed away from the residential accommodation allotted to him in the Doordarshan Colony in an deliberate attempt to substantiate his abduction case. The attempt was ill conceived and pre-planned with the intention of tarnishing the image of the Head of Office - cum - Controlling Officer and others.

ANNEXURE - III

List of documents by which the articles of charge framed against Shri S. M. Farooq, UDC (Store Keeper) are proposed to be sustained.

1. Statement of Shri S. M. Farooq, UDC dated 26.4.95 and revised statement dated 26.4.95 (as narrated by him) regarding his purported abduction to the following officials of Doordarshan Kendra, Tura:-
 - (a) Shri B. K. Mohanty, Station Director,
 - (b) Shri P. Uma Reddy, Assistant Station Engineer,
 - (c) Shri D. C. Sarma, Accountant,
 - (d) Shri K. Sasidharan, Head Clerk.
2. His confession statement dated 1.5.95.
3. Office Order dated 20.4.95 reg. allocation of duties.

ANNEXURE - IV

List of witnesses by whom the articles of charge framed against Shri S. M. Farooq, UDC(SK) are proposed to be sustained.

1. Shri N. C. Koch, Security Guard on duty on that day and time.
2. Shri Ranjit Marak, Armed Guard of Meghalaya State police on duty on that day and time.

GOVERNMENT OF INDIA
DOORWAHRAN KENDRA & TURA
NEPALALAYA

No. 7(2)95-3(SME) / 3137

Dated : 24-7-95

O R D E R

WHILE AS inquiry under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, is being held against Shri S.M. Farooq, U.D.C. of this Kendra.

AND WHEREAS undersigned considered that an Enquiring authority should be appointed to inquire into the charges framed against the said Shri S.M. Farooq, U.D.C.

NOW THEREFORE, the undersigned, in exercise of the powers conferred by Sub-Rule (2) of the said rule, hereby appoints Shri R.S. Kotwal, Asstt. Station Director as the Inquiring Authority to inquire into the charges framed against the said Shri S.M. Farooq, U.D.C.

D. R. Mohanty
(D. R. MOHANTY)
STATION DIRECTOR
24.1.75

Copy to :

1) Shri R.S. Kotwal, A.S.D. DDK, Tura.
2) Shri S.M. Farooq, U.D.C. DDK, Tura.

W. H. G. & Co.
1900

STANDARD FORM OF THE ORDER RELATING TO THE APPOINTMENT
OF PRESENTING OFFICER (RULE - 14 (5) (c))

No. 7(2)/95-S(S.P)/224/0

Government of India
Ministry of 'I' & 'U'
Doordarshan Kendra
Tura- 1

Dated : Tura, the 5th Aug. '95

ORDER

WHEREAS an inquiry under Rule 14 of the Central Civil Services (Classification, Control & Appeal) Rules- 1965 is being held against S.M. Farooq, UDC.

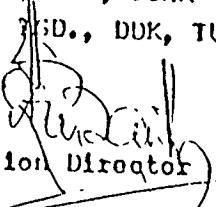
AND WHEREAS the undersigned considers that a Presenting Officer should be appointed to present on behalf of the undersigned the case in support of the articles of charges

Now, THEREFORE the undersigned in exercise of the powers conferred by Sub-Rule (5) (c) of Rule- 14 of the said Rules, hereby appoints Shri Md. H. Rashid, Senior Administrative Officer as the Presenting Officer.

S/---
(B. K. MISTRY)
Station Director

Copy to :-

- 1) The Presenting Officer- Md. H. Rashid, SAO., DDK, TURA
- 2) The Accused Officer- S. M. Farooq, UDC., DDK, TURA
- 3) The Inquiry Officer- Shri H.S. Kotwal, UDC., DDK, TURA


B.K. MISTRY
Station Director

Attested
FILE
Addl. Central Govt.
Standing Council

6. DDG(NER)/DD/14(6)/95-STT/63 Dated Guwahati, the 22.7.95

O B D E R

The following UDCs/SEs of Doordarshan Kendras in the North East Region are hereby transferred in the same capacity and posted to the Kendras as shown against each with immediate effect.

Name & designation	Present	Transferred & posted
	<input type="checkbox"/> Present <input type="checkbox"/> posting.	<input type="checkbox"/> Transferred & posted <input type="checkbox"/> to
Shri Alok Biswas, UDC	DDK, Kohima	DDK, Silchar against a vacant post of Property Assistant.
Shri L. Panik, UDC	DDMC, Itanagar	PPC(NE), DD, Guwahati against Shri Ananta Ram Baisoya, UDC transferred.
Shri P.B. Roy, UDC	DDK, Aparajita	DDK, Silchar against a vacant post of Property Assistant.
Shri S.M. Farooq, UDC	DDK, Tura	DDMC, Itanagar against Shri L. Panik, UDC transferred.
Shri Ananta Ram Baisoya UDC	PPC(NE), DD Guwahati.	DDK, Tura against Shri S.M. Farooq, UDC transferred.

Shri Alok Biswas, UDC will not be entitled to TA/DA and travelling allowance as his transfer has been effected on his own request.

The concerned Kendras may relieve the staff under order of transfer immediately under intimation to this DDG's office.

G.T.Karambekar
(G.T.Karambekar) 22/7/95.
Sr. Administrative Officer,
for Dy. Director General (NER)

Copy for information & necessary action to -

1. The Station Director, Doordarshan Kendra, Kohima/Silchar/Itanagar/Aparajita/Tura.
2. The DDG, PPC(NE), Doordarshan, Guwahati.
3. The Station Director, DDMC, Itanagar.
4. The Pay & Accounts Officer, Ministry of P.P.R., G.C.P.M.Road, Haldiya, Guwahati, Assam, Assam.
5. The Zonal Secretary, A.D.M.S., North East Zone, PPC, Guwahati.

Date: 22.7.95
Dated: 22.7.95

Final Copy

Attested
Mr.
Addl. Commr. Govt.
Guwahati

From : Shri P.K. Bhagat, Station Officer, D.R.C. Tura.

Subject : DISCIPLINARY ACTION VIS-A-VIS
TRANSFER ORDER FOR SHRI S.M.
FAROOQ, D.R.C.

To : Shri P.K. Bhagat, D.R.C. Tura.
By : Director General (D.G.)
Headquarters, D.R.C.

Ref : YOUR ORDER NO. D.R.C.(D.R.C)/D/14
14(6)/95-SII DT. 22.7.95

Sir,

In inviting your kind consideration to the subject referred to above, this is to bring to your kind notice that :-

- (a) A Disciplinary Proceeding is under process against Shri S.M. Farooq, D.R.C. who held the charge of Store Keeper (Engineering Stores) since April, 1991 and who, resorted to -
- (1) Administrative Impropriety, by not keeping records upto-date for which exercise of Proforma Accounts, was pending because of his back-seat manipulation of notings, evading direct accountability to Administration - thus Insubordinating, Immediate supervising officials;
- (2) Creating a fiction of panic - Insubordinating Head of Office - changing the station next day, involving the wife of an I.R.C. (the details of which, have been sent to you earlier) - just before the date, he was asked to hand-over the charge of Engineering Stores.
- (3) Finding no way out, notwithstanding delay in regularising, Stores Accounts, from 26th April to 3rd July, through A.I. (Stores) A. A.I. - who under orders of transfer, subsequently, left the Station, on sudden relief, followed by abdullegious action of General Leave & Comp. Off availed by Shri Farooq from 6th to 15th July, 1995.
- (b) It is, also proposed to have a thorough vigilance inquiry into transactions, dubiously made by Shri Farooq, for certain common items at a higher rate, than procured by Office, at much lower rate, under different Heads of Accounts.

2. In view of the above, it is requested that, the transfer order of Shri S.M. Farooq, D.R.C. be kept in abeyance, till all the proceedings are over and suitable recommendations are put up to you for an example of appropriate and just administration.

Thanking you and with

Kind regards,

Yours faithfully,

(P.K. BHAGAT)

No. 14(6)/95-3 / 27/7
Dated: 01st Aug. 1995.

P.K. Bhagat
P.K. Bhagat
S.M. Farooq
S.M. Farooq

No. DDG(NER) / DU / 14 (6) / 95 - SU / 117-61 Dated : 3.8.95

Q R E E

The transfer order in respect of the following
ULCs made vide this office order of even number dated
22.7.95 is presently kept in abeyance until further orders.

1. Shri S. M. Farooq, UDC, DU, Tura.
2. Shri L. Banik, UDC, DMC, Itanagar.
3. Shri A. Baishya, UDC, PPC(NE), DU, Guwahati.

(G. T. Karambekar)
Sr. Administrative Officer,
for Dy. Director General (NER)

1. The Station Director, Doordarshan Kendra, Tura. (Speed Post)
2. The DDG, PPC(NE), Doordarshan, Guwahati.
3. The Station Engineer, Doordarshan Maintenance Centre,
Itanagar, Arunachal Pradesh. (By Speed Post.)

Doordarshan Report No. 100
Date 22.7.95 / 8
Moir No. 100

0000000

Attested
Officer
Doordarshan
Guwahati
Assam
India

43

43
MOST URGENT

(a)

GOVERNMENT OF INDIA
OFFICE OF THE DY. DIRECTOR GENERAL (IND)
DOORDARSHAN : GURGAON
R.D.C.

No. DDC(IND)/DI/14(6)/95-96/232 Dated : 16.3.95

Subject: Disciplinary action vis-a-vis :
Transfer order for Shri S.M. Farooq, DDC.

Reference 5D, DDC, Tura FOX No. 14(6)/95-95 dated 1.8.95 and in continuation to this office letter of even number dated 3.8.95, 5D, DDC, Tura is requested to send the copies of charge sheet for which disciplinary proceedings are under process against Shri S.M. Farooq, DDC.

2. It is also once again advised to complete the inquiry immediately to settle the transfer cases involved with his transfer order issued vide this office order dated 22.7.95.

(G. L. Narayan) 1/1/1/1
Administrative Officer
For Dy. Director General (IND)

The Station Director,
Doordarshan Kendra,
TURA.

C.O

Doordarshan Kendra, Tura
Dated No. 3132, 16.3.95/4

Attended
by
[Signature]

To,

ANNEXURE A

The Station Director,
Doordarshan Kendra,
Tura (Meghalaya)

Sub: WRITTEN STATEMENT.

Ref: Your Memo No. 7 (2)/95-S(SMF)/2236 dt. 2-8-95.

Most respectfully the Petitioner begs to draw your kind attention to the following for favour of your kind perusal and for necessary actions there of:-

That Petitioner has been served with the notice quoted under above reference to submit his written statement on 5-8-95.

1. That Sir, the Petitioner is an innocent person who has been falsely implicated in the instant cases and the articles of charges brought against him are totally false, baseless, misleading and concocted and there is no iota of truth, for in it and as such the proceeding brought against the Petitioner must be dropped and the Petitioner must be discharge from the charges brought against the Petitioner.

2. That the instant proceeding brought and/or initiated against the Petitioner is not maintainable either in facts or in law and as such the instant proceeding must be dropped forthwith.

3. That the instant proceeding seriously suffers from services legal infirmities and as such it must be dropped and in the fitness of the case the present petitioner must be released from the charges holding that the Petitioner is an innocent person and has not committed any act of misconduct or misbehaviour in support of which the instant inquiry is proposed to be held.

4. That Sir, it is most unfortunate to state that the allegations of disobeying of office orders during the period April/95 to June/95 has been brought against the Petitioner which is not at all correct and true. That Sir in no point of time the ~~present~~ Petitioner ever violated and/or disobeyed any office order and it was always his utmost sincere duty and responsibility of the Petitioner to maintain and obey the officer orders.

Sir it should not be out of content to be mentioned here that it is for the first time in the service career of the Petitioner since inception of his service in the year 1986 that too more particularly since his joining here at TURA, The charge of disobeying office order has been brought.

Sir, it is correct that all on a sudden I was directed by the office order to handover the charge of store keeper to Shri V.S. Johnson, UDC.

That in accordance with the office order as required the Petitioner informed the Station Engineer DDK, TURA, as regards the extention of time to make the works complete and to handover the same.

Contd.. 2 ...

45
Sir it may be seen from the office records that because of the heavy pressure of Store Works which is not at all possible for the Store Keeper only to maintain and manage all the records, documents and Registers and because of the tremendous works pressure on the Petitioner in the month of January '95 a proposal and request was made by the Assistant Engineer (I/c) Stores to your kindself to Post a CG II to help and release some burden from the Store Keeper, but unfortunately no employee was deputed / posted to help and/or to release the burden of the Petitioner and as a result the Petitioner had to devote himself during sundays and holidays in the extra time and hours for the completion of the works while discharging his official duties.

Sir it should further be mentioned here immediately after the Prayer for extention of handing over of the charge was in progress and the total handing over of the charge was possible only when all the official requirements were duly observed and accordingly the Petitioner had to wait for the 100% physical verification of the Engineering stores by the Assistant Engineers and thereafter by the Station Engineer.

Sir it should be mentioned here that during the cause of physical verifications also there are several transactions and other than notifying the Assistant Engineers and Station Engineers the Petitioner has to maintain the account, of fresh purchase and issues of material and as a result the time was taken and the most pertinent to mention here is that even after the 100% physical verification by the Assistant Engineers and Station Engineer the new encumbent for the Engineering store Shri Mr V.S. Johnson intended to take the accounts of each and every item of the stores and being the out going store keeper it was also the duty of the Petitioner to satisfy the new encumbent with the stocks registers etc of the Engineering store and which took maximum time and ultimately on 3-7-95 the handing over and taking over of, the Engineer store was completed.

Sir so far so long the Petitioner was in the capacity of Store Keeper of the Engineering Store of DDK TURA inspite of requests by the Assistant Engineer I/c store to provide one CG-II but unfortunately till the date your Petitioner was discharging the duties of Store Keeper no CG-II was deputed and surprisingly immediately on taking over of the charge of Store keeper by Shri V.S. Johnson one CG-II has been provided to assist the Store Keeper.

Sir this fact it self is an evident to show that the Petitioner had been discharging the duties of one CG -II and one helper in addition to the works of Store keeper since ~~the~~ to date of posting at DDK, TURA.

Under the aforesaid facts and circumstances the Petitioner respectfully states that the article of charge of disobeying of office order brought against the Petitioner is not at all maintainable and hence it is prayed that the said charge be dropped.

That the most abominable part of the Petitioner is that the charge of "indulged in gross irregularity and negligence in the discharge of official duties with a dishonest motive" has been brought.

Contd...3...

That the Petitioner stoutly denies the charge as the same is baseless and false. The Petitioner never indulged himself in any irregularity and negligence in discharging official duties for less the question of with a dishonest motive. (C17) 46

Sir, if the Petitioner would not have kept the Engineering Store records viz (Store Received Books, Store issue Books, Store ledgers, Defective Store ledgers etc) if is surprising how the payments for the bills against the purchase of Engineering articles could be made by the DDK TURA. It should be mentioned here that in case of non performing of the official works i.e., the duties of the Store Keeper by the Petitioner surely all the bills for purchases of Engineering articles could have been pending till date the records of the office is a pointer is show that the Store Keeper had to maintain and record even the entries of column No. 6 of SRB though the same was the exclusive duty of the Accountant but because of keeping the records and registers in order the Petitioner had to maintain the column No. 6 of SRB till pointed out by the Assistant Engineer i/c Store. Sir as regards Register of Empties the Petitioner was not aware nor ever your kindself have guided him or advised him to maintain such Register nor the Petitioner why taking over the charge of Store Keeper of DDK, TURA was entrusted with any such Register of empty.

Sir, it is to be mentioned here that the all the records and registers of the Engineering Store were produced and placed for inspection and verification by the Accountant as and when called for by the Accountant and it is not correct that the Petitioner did not submit the records to the Accountant from time to time.

Sir under the aforesaid facts and circumstances the charge of "indulged in gross irregularity and negligence in the discharge of official duties with a dishonest motive" cannot stand at all and that too while handing over the charge of Store Keeper neither any record was found incomplete nor any engineering item was found short in the Store.

That the article of charge brought against against the Petitioner that he "breached the security measures of the vital central Government Institution and thus implicated the Watch and ward officials on duty on that day in the concocted case" is totally baseless, false and misleading. The Petitioner has never concocted any abduction case as alleged or otherwise and as such the allegations brought against the Petitioner as regards the "attempt was ill conceived and pre-planned with the intention of tarnishing the image of the Head of Office-Cum-Controlling Officer and others" cannot and does not arise at all.

Sir, it should be mentioned here that on 23-4-95 which was Sunday and as per your kind order to handover the charge of Store keeper when the Petitioner was working in the Store in presence of Shri S.K. Sinha AE i/c Store and Shri Ajay Majhi E.A at about 6.00 pm at the children of the Petitioner appeared in the office of the petitioner and reported to him about the physical assault to them by the children of Shri V.S Johnson and in order to avoid any further quarrel the Petitioner detained his children in the office with an intention to take them alongwith him so that no more assault is caused to them.

Contd... 4...

Surprisingly at about 7.00 pm the Mrs. V.S. Johnson appeared in the office of the store with a stick and called the Petitioner in all ill names and used obnoxious languages to words Petitioner his family members threatened him with dire consequences and bring frightened the petitioner requested her to leave the office and the petitioner will talk with Mr. V.S. Johnson to resolve the quarrel but at that time Mrs. V.S. Johnson took vow to teach the petitioner a lesson and declared it publicly and left the office premises. Due to this unfortunate happened and incident in the office premises the petitioner was so frightened that at about 8.00 pm the petitioner alongwith his children left for home with Shri S.K. Sinha and Shri Ajay Majhi.

That Sir on the next day at about 7.00 pm when the petitioner was making contact as regards delivery of fire fighting equipments over phone from ASE's residence at that time his wife in a very scared and frightened state appear and reported to the petitioner that Mrs. V.S. Johnson is after her life and immediately the petitioner advised her to report to your kindself and didnot felt it personally to appear before your kindself as the same is a quarrel totally outside the perview of the official duty and your kindself may not entertain the same as because the quarrel is of ~~purely~~ purely private in nature and as such advised his wife to report the matter to your kindself to resolve the dispute as a family wellwisher.

Thereafter the petitioner went into the office and for the moment apprehending danger to his life and his member of family because of constant threats and attempts to assault decided to bring the matter to the notice of your kindself and accordingly the petitioner over telephone reported the incident and threat's of Mrs. Johnson's to him an to his members of family and thereafter, after closing the store due to tension and helplessness the petitioner went and reported to Mr. N. Sashidharan Head Clerk, regarding the incidents but he expressed his helplessness thereafter the petitioner left the quarter of Shri. Sashidharan and proceeded towards the adjacent Tea Stall.

While proceeding towards tea-stall at about 7.40 pm suddenly from the back side three unknown young persons called him to stop being frightened the petitioner apprehended that those person might be the men of Mrs. V.S. Johnson and calling him to cause physical harm to the petitioner having no other alternative rushed straight towards Tura Town and then the chasers also followed him thereafter being panic stricken having no other alternative took shelter in the Tura Civil Hospital compound which was only public place found and felt secured and then the chasers did not entered into the Hospital compound but remain out side till dead at night and in the Civil Hospital alongwith the other public attenders the petitioner passed that panic stricken and most violent and dangerous ~~night~~ night in his life for the first time.

The petitioner from their made calls to ASE for his rescue and security but the case of phones a regards abduction of the petitioner and refuge at a friends ~~family~~ place are totally false and baseless and the petitioner stoutly denies the he made any such telephones as regards ~~an~~ abduction to ASE or to director.

Unfortunately for the reasons best known to the ASE no body went to rescue the petitioner from Tura Civil Hospital at that night and as a result the petitioner had to stay and passed his night in the Tura Civil Hospital.

That Sir, the statements contemplated and annexed with the article of charges are not the statements of the Petitioner. The ~~xx~~ Petitioner gave the same statement both on 25-4-95 and 26-4-95 before you only as desired by your kindself.

It should be mentioned here that the Petitioner reported the entire matter to your kindself verbally as desired by you and on the following day it was again desired by you to give the statement in writing and accordingly the Petitioner gave in written the whole facts of quarrels, threatening by Mrs. V.S. Johnson and chasing by unknown persons and passing of night at Tura Civil Hospital and telephones for rescue and security and in the state detailed statement the Petitioner put his signature also and thereafter the said statement was signed by your kindself and retain the same with your kindself. It should best be out of the context to be mentioned here that while giving the statements so far in oral as well as in writing neither ASE, Head Clerk nor Accountant was present.

Apology

That Sir, the Petitioner beg *apologys* on the 26-4-95 itself to your ensuring that he will control his wife and children not to make any quarrels with any body in the colony and shall maintain peace and shall further confess not give any scope to any body to home in the office premises and to distract the official works and because of disturbing the official works by Mrs. V.S. Johnson as regards quarrels between two families the matter came inside the office and regarding that effect and more particularly for distracting your kindself as regards family quarrels and sending of the wife of the Petitioner to your kindself and for all these activities the Petitioner ensured that there will be no such type of quarrels and complain activities, in future, and on that *apology* and assurance you advised me to be friendly with everybody of the colony and not to involve in any quarrels and further directed the Petitioner not to distract your kindself in all these type of quarrels in the colony.

That the Statements enclosed with the article of charges are not the statements of the Petitioner and they are concocted and managed and created with some vested interest just to cause wrongful loss to the Petitioner. And the most painful part is that the statement of the Petitioner given to your kindself is not supplied to the Petitioner and /or enclosed with the charges and from the statements supplied to the petitioner it may be seen that the alleged statement of 25-4-95 contains the signatures of the alleged witnesses and that of your kindself ~~xx~~ as on 26-4-95. Now the question arises as to it the petitioner has given any statement on 25-4-95 how the signatures contain there in are of 26-4-95 it should have been on 25-4-95 itself and who is the writer of the statement nothing is mentioned there in. And the statement given to your kindself on 26-4-95 in writing ~~xx~~ which comprised the signature of the Petitioner and that of your kindself is not enclosed and a totally created statement has been annexed to substantiate a baseless charge against the Petitioner.

Sir under the aforesaid facts and circumstances it is humbly prayed that the charges of breached the security measures of the vital central Government Institution and thus implicated the watchful and ward officials on duty on that day in the concocted abduction case" against the Petitioner is totally false baseless and the said charge must be dropped;

Contd..6 ..

That Sir, it should be mentioned here that the Petitioner when received that memorandum to reply he accordingly gave his explanation contending his statement given to your kindself on 26-4-95 and he did not honestly felt it necessary to explain the entire contents of the memorandum as those were not at all correct.

That Sir, during the service tenure of last about 9 years in service the Petitioner has not even given any warnings from any superior officer and this is for the first time all the false and baseless charges have been brought with an intention to cause wrongful loss and undue harrassment the Petitioner.

The Petitioner respectfully States that he is totally innocent and charges brought against the Petitioner are false baseless concocted and fabricated and there is no iota of truth in it and the Petitioner wants to be heard in person and as such the proceeding initiated against the Petitioner for holding inquiry may be dropped and the Petitioner be discharged from all the charges brought against him and for which/ act of your kindself the Petitioner as in duty bound shall always pray.

Yours faithfully,

S.M. Farooq

(S.M. Farooq)
UDC, DDK7 TURA.

Dated : 14-8-95

* * * * *

Petitioner
S.M. Farooq

50
69
108
B. K. MOHANTY
STATION DIRECTOR

ANNEXURE-X

SD-1/95-S / 32
25th August '95.

Dear Shri Reddy,

Enclosed please find a copy of the statement submitted by Shri S. M. Farooq, UDC in defence to the Departmental Inquiry being held against him.

You are requested to go through paragraphs 19, 25, 26, 27, 28 and 30, in which Shri Farooq, denies to have made any statement on his 'abduction' and refutes that none were present during his statement. He has further stated that, apart from giving an SOS call from hospital, he has made no calls on 24th April, 1995 night and 25th April, 1995 (morning).

Kindly, give paravise comments and send the same by Registered Post to me by name, to expedite the case.

With kind regards,

Yours sincerely,

(B. K. MOHANTY)

100-147
100-147
26/8/95
DEPARTMENT

To
Shri P. Uma Reddy,
H. No. 6-3-347/12/A/12,
Dyarakapuri Colony,
Punjagutta,
Hyderabad - 500432,
Andhra Pradesh.

0-0-0

Attested
by
Addl. Central Govt
Standing Counsel

51

GOVERNMENT OF INDIA
COORDINATING AUTHORITY
TURA - 794 001
MEGHALAYA

No. 7(2)/95-S/27.3 %

Dated : Tura, the 11th Sept. '95

M. S. H. O

This refers to earlier memos of even number
dtd. 31-8-1995, Shri S. M. Farooq, UDC is hereby
summoned to be present himself along with his defence
assistant Shri D.C. Dwivedi, Sr. Engg. Asstt. on
15-9-1995 at 2.00 P.M. in the Office room of Station
Engineer, D.R.K., Tura.

*Pls. attend
11/9/95*

(R. S. KOTWAL)
Inquiry Officer

*✓ Shri S. M. Farooq,
UDC, D.R.K., TURA*

Copy to Inquiry file.

*Pls. attend
file
R.S. Kotwala
Inquiry Officer*

Doordarshan Kendra Thra
Party No. 44 Date 12/9/95

CONF. 52
SDO

Open
Pl. Dg. 2 P.M.W.P.

RS
P
17/9/95

To
The Station Director,
Doordarshan Kendra,
TURA - MEGHALAYA.

Sub : Departmental Enquiry.

Ref : Your D.O. letter No. SD-1/95-S/52, dt. 26-8-1995.

.....

Sir,

As desired, I am here with offering my comments to paragraphs 19, 25, 26, 27, 28 and 30 of statement submitted by Sri S.M. Farooq in defence to the Departmental enquiry initiated against him.

1) Paragraph - 19.

Sri S.M. Farooq stated that he did not find watch and ward staff at the gate while he was going out on 24-4-95 in the evening.

2) Paragraph - 25.

Sri Farooq informed me over phone at about 22.30 hrs on 24-4-95, that some un-known persons chased him, and that he is staying in a friends house and requested to convey his family that he is safe and not to worry if ^{he} fails to return home in the night. This was conveyed to Sri Farooq's family at quarter complex and S.D. was also informed over phone.

Again after about 23.00 hrs there was another phone call from Sri Farooq. He repeated same thing and requested not to inform Police.

On 25-4-95 at about 06.30 hrs Sri Farooq informed me over phone that he was taken by some un-known persons and kept in a place, now he has been released by his copters and will return back as soon as bus service resumes. The phone calls made the previous day were as per the instructions of his abductors.

3) Paragraph - 26.

Sri Farooq requested not inform Police and also did not give the location of his stay, hence the question of rescue either by me or S.D. does not arise, neither he requested for it.

4) Paragraph - 28.

Since the article of charges and annexed statements were not enclosed, therefore I have no comments to offer.

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....2....

5) Paragraph - 29

The two versions of statements by Sri Farooq on 25th & 26th April were made in station Director chamber in presence of Station Director, myself, D.C. Sharma, Asst, and R. Shashidharan Head Clerk.

6) Paragraph - 30

Since the article of charges and annexed statements were not enclosed, therefore I have no comments to offer.

Yours sincerely,

Place: Hyderabad.

Date : 6-09-1995.

swd 8/9/95
(P. UMA REDDY)
Asst. Station Engineer

*Attended
P.M.*

Dated : Tura, the 15th Sept '91

To

The Station Director
Doordarshan Kendra
Tura.Sub : - Interruption in Inquiry.

Sir,

I was assigned to hold inquiry on the charges framed against Shri S.M.Farooq, UDC, vide your memo No. 7(2)/95-9 (SMF)/2237, dated 2nd August '95.

Accordingly, I summoned, Shri S.M.Farooq, UDC to be heard in person with his defence assistant Shri D.C.Divedi, SEA on 15.9.95 at 2.00 PM.

Shri D.C.Divedi, SEA, visited that the case will be represented by him, on behalf of Shri S.M.Farooq, though it was impressed upon him that the inquiry is based on charges framed and question directly pertain to the official charged upon. Shri Divedi kept on quoting CCS (Rules) that he will present the case.

The presenting Officer, persuaded the defence assistant, that his points are not relevant. This spoilt, 45 min. without any proceeding.

2) When, the defence assistant was prevailed upon about his role; Shri Farooq, UDC, raised objection on the Audio recording of proceedings, and started questioning the presenting officer that why this was not informed to him that there will be audio recording; and demanded justification under rules.

The presenting officer clarified that there is no such provisions under CCS (Rules) to restrict the Inquiry officer; for the mode of recording statements/Question-Answers.

Then Shri Farooq, did not respond to any questions.

3) After one hour of such irrelevant arguments, I felt that the accused official is hostile to Inquiry and defiant to orders. The defence assistant, engagement by him appears to be argumentative without any regard to sanctity of inquiry, primarily on basic questions.

4) I feel that the Presenting Officer should schedule the presentation of the case in appropriated manners as he is a Senior Administrative Officer, knowing all dispute rules.

5) I further insist that the entire proceeding should be recorded in "Audio Recording Device" because,

(a) No Stenographer is available to record the proceedings in English, Hindi, as charges are in English and accused official & his defence assistant are Hindi speaking and Presenting office is not capable to record any statement in Hindi.

(b) Everything can be transcribed, played back for confirmation for all concerned.

Contd.

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Maligning

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(2)

C) The accused official has denied charges on such verbal statement given in presence of responsible officers like ASE & Engineering Head, Head Clerk & Accountant. Thus their official integrity and accusing the Head of Office.

Thanking You & requesting for instructions.

Yours faithfully,

(R. S. Kotwal)
(R. S. Kotwal)
Assistant Station Director.

Attended
Date
Signature

Subject: - Report of Enquiry in connection with the 113
charge sheet framed against Shri S.M.
Tiwary, U.D.C.

The Enquiry which was scheduled today, the
15th September at 2 P.M. in S.E.'s Room could not be
conducted as the accused Smt. Servant Shri S.M. Tiwary
was not ready to answer any question and Shri D.C.
Dwivedi the defense Adv. was speaking on his behalf.
The Inquiring Officer made it clear that the defense
Adv. is nothing to do with the question and answer.
At the time of enquiring the accused Smt. Servant has
to give the replies against the charges framed against
him and the defense Adv. is to defend the accused
only by examining, cross examining and re-examining
the witness if any. The accused and the Defense
Adv. were also objecting the ^{Audio} recording of the statements
at the time of enquiring.

For Smt's kind information P1.

See

J.D. Rathi

15/9/1945

Inquiring Officer

It appears, the charged official
is hostile and does not intend
to face inquiry in a disciplined manner.

2. Inquiring Officer, is to give his report.

By
J.D. (Inquiry
Officer)

I have already
submitted my
Report (What
S.A.O M/S (Gata)

Attended
by
Addl. Central Govt
Standing Council

Doordarshan Kendra Tura
Delhi No. 608 Bldg 15/9/45

15/9.

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Deendarshan Kendra Dara
Deity No. 623 Date 15/9/95.

To,

Dated : Tura, the 15th Sept. 1995

The Station Director,
Deendarshan Kendra,
Tura- 705 001

Sub : Regarding binding of Enquiry Officer.

Sir,

I here by draw your kind attention that as soon as at the time of 2.00 PM. I came inside the said place vide Office Memo No. 7(2)/95-3/2658 dtd. 11-9-1995. Our Enquiry Officer Mr. Rakesh Sahib stated, "You did wrong and I don't want to listen any word because your statement is already attached with charge sheet given by Collo and you are simply misguiding the Office".

At this juncture my defence assistant placed objection to his words and requested him not to use such unmanly words.

Then he told, that my defence assistant had no right to come in this matter and he told him to be quiet and he was not agree to listen anything against the false statement which are attached with charge sheet.

And finally our Enquiry Officer left the place saying that, he is not going to listen anything because the charges brought against me are correct. Using this obnoxious words he left the place. Then my defence assistant tried to talk to him he denied and did not listen any thing and he left for his Office chamber.

This is for your kind information and necessary action please.

Thanking you,

Yours faithfully,

(1. M. S. Datta
2. U. C. Datta
3. U. C. Datta)

Attested
by
Addl. Central Govt.
Standing Council

The following comments are offered against the "A + B" as made by S.O. on the complaints made by the accused Smt. Suniti Shri S.M. Tawaray, M.D.C. in connection with the Enquiry which was scheduled on 15/9/95 at 2:00 p.m. in Smt's Room against the charges that framed against him.

"A" — At 14.05 p.m. when I entered in the Room I found that the accused and his defence A.M.H. were arguing with the Enquiry Officer regarding answering of the questions. On my arrival the Enquiry Officer informed that he will ask questions to the accused Shri S.M. Tawaray first. The defence A.M.H. will not speak in between and the Audio Recording of the statements and other things will be made and kept with sealed. A Recorder was placed on a table.

"B" — As a Prenting Officer I made it clear that the reply of the questions has to be given by the accused only, not by the defence A.M.H. However, he may assist the accused A.M.H. in answering, re-examining and cross examining by examining, re-examining and cross examining the witness if any and after as per rule there is no any restrictions for the Audio Recording of the statements. But they were arguing that why the defence A.M.H. was summoned and why it is not informed to them that Audio Recording will be made. At last when they could not be convinced and prevailed for the Enquiry officer was no other alternative for the Enquiry Officer but to leave the room followed by Prenting Officer.

Printed on 15/9/95
Signature of the Prenting Officer
Dated 15/9/95

Printed on 15/9/95
Signature of the Prenting Officer
Dated 15/9/95
D. B. Tawaray
Dairy No. 111, 15/9/95
Prenting Officer

Printed on 15/9/95
Signature of the Prenting Officer
Dated 15/9/95

To,
The Station Director,
Doordarshan Kendra,
Tura- 794 001

Annexure XXXIII

Sub : Prayer to withdraw from the Post of
Defence Assistant of Shri S.M. Farooq,
U.D.C, DDK, Tura under protest.

Ref : Inquiry of Mr. S.M. Farooq, U.D.C.

Sir,

Most painfully I have the honour to inform you that as per the willingness given to learned Inquiry Officer to appear and act as defence assistant of Mr. S.M. Farooq on last 15-9-95 at 2.00 PM. as directed by Shri R.S. Kotwal, Inquiry Officer. I along with delinquent servant appeared before the Inquiry Officer.

That just after my entry Sir, Inquiry Officer and Presenting Officer raised objection that I shall not be allowed to say/plead for the delinquent servant and I am to sit and observe the case only and whatever is to be replied the same must be submitted by the delinquent only and I was not allowed to say any thing by both the Inquiry Officer as well as by the Presenting Officer and they were constantly raising objections as ~~thm~~ to I have no right to say/submit/plead for the delinquent and the delinquent is 'Guilty'.

I tried my best to convince the Inquiry Officer as well as Presenting Officer that the Disciplinary Authority first produce the evidences, records, witnesses for examination and cross examination and I have all the right to plead and cross examine as per Law and only for that and to assist the Inquiry I have been allowed to Defend the Delinquent servant and under the Law I cannot be restrained.

Sir, most unfortunately the Learned Inquiry Officer used all obnoxious and unparliamentary Languages both to the delinquent servant as well as to me and no fault of mine I have been unnecessarily insulted by the Learned Inquiry Officer as well as by the Presenting Officer and thereafter both of them left the place of Inquiry and did not turn-up till 4.45 PM. and there

Continued -

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-1 2 12.00 AM 2000 2000

and thore after I alongwith the delinquent left the place of Inquiry.

It should not be out of the context to be mentioned here that the delinquent with folded hands requested both Inquiry Officer as well as to the Presenting Officer to conduct the Inquiry and further to allow me to plead for him but they did not pay any heed to his caroles rather they condemned him by saying that he is guilty and must not speak.

Sir, under the aforesaid circumstances I feel that it is not possible on my part to protect the interest of the delinquent servant as the Inquiry Officer as well as the Presenting Officer have decided not to allow me to plead for the delinquent.

Sir, in the interest of the justice I feel I can not do justice to the delinquent by protecting his interest as much I pray that the willingness to defend Mr. S.M. Farooq given by me to the Inquiry Officer be deemed as withdrawn under protest as such I may be discharge from the post of defence assistant of the delinquent and for which act for your kindness I shall remain oblige.

Thanking you,

Yours faithfully,

(D. C. DASIVEDI)
Sr. Engg. Asstt.
Defence Assistant
DDK, TURA

Dated : 18-9-1995

Copy to :-

1. The Deputy Director General (IEN), Doordarshan, R.G. Barrah Road, Guwahati- 24 for information and necessary action please.
2. Shri S.M. Farooq, UDC, DDK, Tura.

D. C. DASIVEDI
Sr. Engg. Asstt.
Defence Assistant
DDK, TURA

RECEIVED
DASIVEDI

No. 7(2)/95-S (SMF)/

Dated the 28th September, 1995

O R D E R

WHEREAS Shri S. M. Farooq, UDC has been found guilty under Rule 14 of C.C.S (C.C.A.) Rule, 1965 as charge sheet framed against him vide office Memo of even number dated 2-8-95,

AND WHEREAS it is considered that the conduct of said Shri S.M. Farooq, UDC, which has led to the Departmental Inquiry, the gravity of the charge is such, as to warrant the imposition of major penalty;

AND WHEREAS Shri S.M. Farooq, UDC was given an opportunity of personal hearing and as per his written explanation; but the inquiry got stalled by him and his defence assistant on 15-9-95. Both of them hurled accusations and filed representation against two responsible Senior Officers : appointed as Inquiry Officer and Presenting Officer

AND WHEREAS the said Shri S.M. Farooq, has given a written reply on 14-8-95 which has been duly considered by the undersigned;

NOW THEREFORE, in exercise of the power conferred by Rule 19, sub-rule 6(i) clause (c) of the Central Civil Service (Classification, Control & Appeal) rules, 1965, the undersigned hereby imposes the penalty of "Reduction to a lower stage in the time scale" under rule 11 (v) of CCS (CCA) Rules, 1965.

It is therefore, ordered that the pay of Shri S.M. Farooq, UDC, be reduced by 4 stages from Rs. 1320/- to Rs. 1200/- in the time scale of pay of Rs. 1200-30-1560-EB-40-2040/- for a period of 2 years w.e.f. 1-10-95. It is further directed that Shri S.M. Farooq will not earn increments of pay during the period of reduction and that on the expiry of this period, the reduction will not have the effect of postponing his future increments of pay

B. K. Mohanty
(B. K. MOHANTY)
STATION DIRECTOR

Shri S.M. Farooq,
UDC. DDK, Tura.

Copy to :-

- 1) The Dy Director General (NE), Doordarshan R.G. Baruah Road, Guwahati - 24.
- 2) The Pay & Accounts Officer, Doordarshan, H.R. Path, R.G. Baruah Road, Guwahati - 3.
- 3) Service Book of Shri S. M. Farooq.
- 4) Personal File of Shri S. M. Farooq.
- 5) Accounts Section (2 Copies).
- 6) Confidential Section

B. K. Mohanty
STATION DIRECTOR

Attended
Mr. Central Censor
Central Censor

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GOVERNMENT OF INDIA
DOORDARSHAN KENDRA: TURA
MEGHALAYA

No. TUA/14(6)/95-S/ 16.04.95 Dated Turn the 16th October 1995.

O R D E R

Consequent on his transfer to Doordarshan Maintenance Centre, Itanagar in the same capacity vide Deputy Director General(NER), Guwahati order No.DDG(NER)/DD/14(6)/95-SIII/207 Dated 22.7.95 Shri Sheikh Mohammad Farooq, Upper Division Clerk of this Kendra is stands relieved of his duties at this Kendra from 31-10-95(A.N.) with the instruction to report to the Station Engineer, Doordarshan Maintenance Centre, Itanagar after availing usual joining time as admissible.

He should return the Identity Card and any other articles issued to him and ensured that no dues remain outstanding against him so far this Kendra is concerned.

Yours (H.RACHID)
H.RACHID
Sr. Administrative Officer
For Station Director

Shri. Sheikh Mohammad Farooq
Upper Division Clerk,
Doordarshan Kendra,
Tura-794001 (Meghalaya)

Copy to:-

1. The Deputy Director General (NER), Doordarshan, R.C Baruah Road, Guwahati-24 (Assam) for kind information please.
2. The Station Engineer, Doordarshan Maintenance Centre, Itanagar, 791111, (Arunachal Pradesh), Shri S.M.Farooq has availed 7 days C.L. and he has not availed any RH during the current calender year. His service book and LFC will be forwarded in due course.
3. The Station Director, AIR, Guwahati for kind information.
4. The Pay and Accounts Officer, Doordarshan, Guwahati.
5. Accounts Section (In duplicate).
6. Service Book/Personal File of Shri S.M.Farooq, UDC.
7. Stationery Clerk, DDK, Tura.
8. Store Keeper, DDK, Tura.
9. Cashier, DDK, Tura.

Yours
For Station Director

J.D. (6/10/95)

J.T.C.

RECORDED & INDEXED

SMF/

A/C

7/10/95

10/9/95
14/10/95
10/10/95
10/10/95

Placed
off
Ad. Central Govt
Soliciting Counsel

GOVERNMENT OF INDIA
OFFICE OF THE DEPUTY DIRECTOR GENERAL(NER)
DOORDARSHAN : R.G. BARUAH ROAD : GUWAHATI 781024

No. DDG(NER)/DN/Guw/DA No. 77/96

Dated Guwahati
the 17th Dec., '96.

MEMORANDUM

With reference to his appeal dated 30-10-95 and subsequent reminders dated 12.02.96 and 18.04.96, Shri S.M.Farooque, Upper Division Clerk, DDMC, Itanagar is hereby informed that the contents of his appeal has been carefully examined by the undersigned alongwith the relevant records from Doordarshan Kendra, Tura relating to the disciplinary proceedings and his appeal does not merit for any relief as appealed by him.

Shri S.M.Farooque
Upper Division Clerk
DDMC, Itanagar

(P.K.Singh) 3/2/98
DY. DIRECTOR GENERAL (NTD)
DORDARSHAN :: GUJARATI

Copy to :

1. The Station Director, DDK, Tura for information.
2. The Station Engineer, DDMC Itanagar, with reference to his letter No. DDMC/ITA/21(5)/SMF/96-S/454 dt. 18.4.96
3. The Director General (Shri A.N.Sarma, DDAI by name) Doordarshan, Mandi House, Copernicus Marg, New Delhi for information.
4. Shri S.M. Faroogee, UDC (Through SE, DDMC, Itanagar (Arunachal Pradesh)).

MR. DIRECTOR GENERAL (NER)
DOORDARSHAN : GUJARATI