

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/01303/2018

DATED THIS THE 10TH DAY OF JUNE, 2019

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

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

H.N. Honnalli,
Aged 42 years, S/o Lingana Goud,
Ex-GDS BPM, Banakatti BO,
a/w Alokudyog 587 111,
Residing at C/o C.M. Angadi, Mahanth Nilaya,
Plot No. 41, Postal Colony,
Vidyagiri, Bagalkot 587 103 Applicant
(By Advocate Shri B. Venkateshan)

Vs.

1. The Union of India,
Represented by the Secretary,
Department of Posts, Dak Bhavan,
New Delhi 110 001

2. The Postmaster General,
N K Region, Dharwad 580 001

3. The Supdt. Of Post Offices
Bagalkot Division, Bagalkot 587 101Respondents

(By Shri N. Amaresh, Counsel for the Respondents)

ORDER (ORAL)

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

The matter in issue is quoted in paragraph 2 of the reply. We find that applicant had filed a very detailed appeal in which he had canvassed a view that it is the prosecutorial function to prove the element of guilt to the hilt. Apparently on this point that 8 others had lost their lives because of him, applicant has no reply. He would say that infractions relating to money was for the reason that labourers would come late to the office while office hours are over but still he will receive the money and give credit on that day but remit the money on the next day only even if such a thing is accepted and he has not delivered 365 articles either because of pressure of work having one GDS post withdrawn. Applicant would say at this point that there is no mention of 365 articles in the chargesheet which is true but one of the articles of charge relates to non-delivery of registered articles and this was also held to be proved. The learned counsel takes us to Annexure-R2 and R3 which indicate that applicant had been very negligent in his functioning, and therefore, in the totality of things the contention raised by the applicant does not seem to be correct. We quote from Annexure-R2 and R3:

Annexure-R2

"STATEMENT OF SRI HULLAPPA N. HONNALLI, GDS BPM (POD), BENAKATTI BO A/W BKT ALOKUDYOG SO DATED 30.01.2014 REGARDING NON CREDIT OF RD AMOUNT OF RS. 200/- INTO RD ACCOUNT NO 51553 BEFORE IP BADAMI SUB DN, BADAMI

I, Sri Hullappa N. Honnalli, BPM (POD) Benakatti BO a/w Alokudyog SO write to state that –

While working as BPM Benakatti BO, Sri Kenchappa S Keludi, resident of Benakatti village have tendered me monthly instalment of Rs 200/- for the month of Nov-2013 for crediting into his RD Account No. 51553 on 31.10.2013. I have entered the said amount, impressed the BO date stamp of 31.10.2013, put signature in the pass book and returned to him. But, I have not incorporated the amount in the Books of BO Accounts. I have utilized the said amount for my personal expenditure.

I have given the above statement in my own hand writing before Inspector Posts, Badami Sub Division, Badami voluntarily without any pressure.

Yours faithfully,

*-sd-
(H. N. Honnalli)
BPM (POD) Benakatti*

*Place: Alokudyog
Date: 30.01.2014*

*Before me
-sd-
Inspector Posts,
Badami Sub Division
Badami – 587 204*

*Sd/-
Supdt. of P.O.S.,
Bagalkot – 587 101”*

Annexure-R3

"STATEMENT OF SHRI H. N. HONNALLI, GDS BPM, BENAKATTI BO A/W ALOKUDYOG SO DATED 27.11.2013 REGARDING NON DELIVERY OF REGD AND ORDINARY LETTERS AND NON PAYMENT OF eMOs BEFORE MAIL OVERSEER BADAMI SUB DN, BADAMI

I, Hullappa Ningappa Honnalli R/o Benakatti, Branch

Postmaster Benakatti write to state that –

During the inspection of my office by Mail Overseer Badami Sub Division, Badami on 27.11.2013, following are the ordinary and registered letters and eMO's kept undelivered/unpaid in the office –

1. 345 ordinary letters received for the period from 23.10.2013 to 26.11.2013
2. Registered letters –
 - i. RK689416754IN 21.11.13
 - ii. RK689416873IN 21.11.13
 - iii. RK689438825IN 25.11.13
 - iv. RK689438335IN 25.11.13
3. eMOs-
 - i. 051033131101412612 14.11.13
 - ii. 051033131101408784 16.11.13
 - iii. 151033131101410184 16.11.13
 - iv. 051033131107416580 7.11.13
 - v. 134745131125386317 25.11

I have retained the above ordinary letters, registered letters and eMOs in the office without delivering the articles, making payments and without intimating the addressee's and at their home about receipt of articles/eMOs.

From the first page, all these registered articles, eMOs and ordinary letters are found during the inspection of the office by the Mail Overseer on 27.11.2013. All these letters and eMOs are delivered/paid by the Mail Overseer.

I have given above, statement before Mail Overseer, Badami Sub Division, Badami voluntarily without any pressure.

Yours sincerely,

*Sd/-
(H.N. Honnalli)
BPM Benakatti*

*Place-Benakatti
Date-27.11.2013*

Before me

*Sd-
MO*

*Sd/-
Inspector Posts
Badami Sub Division
Badami – 587 204*

*Sd/-
Supdt. of P.O.S.,
Bagalkot – 587 101”*

2. Therefore, there is no ground for us to intervene. The OA is dismissed. No order as to costs.

(C.V. SANKAR)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/01303/2018

Annexure-A1: Copy of the applicant's disability certificate dated 13.01.2016
Annexure-A2: Copy of the Memo dated 11.12.2013
Annexure-A3: Copy of the Memo dated 24.07.2014
Annexure-A4: Copy of the Memo dated 05.09.2014
Annexure-A5: Copy of the Memo dated 05.09.2014
Annexure-A6: Copy of the letter dated 03.11.2016
Annexure-A7: Copy of the applicant's defense brief dated 01.12.2016
Annexure-A8: Copy of the Memo dated 01.02.2017
Annexure-A9: Copy of the applicant's representation dated 23.02.2017
Annexure-A10: Copy of the applicant's representation dated 11.03.2017
Annexure-A11: Copy of the Memo dated 15.05.2017
Annexure-A12: Copy of the applicant's appeal dated 17.07.2017
Annexure-A13: Copy of the Memo dated 04.01.2018
Annexure-A14: Copy of the order dated 16.01.2017 in OA No. 180/2013
Annexure-A15: Copy of the order dated 21.03.2004 in OA No. 857/2004

Annexures referred in reply statement

Annexure-R1: Copy of the written statement of the applicant dated 01.12.2018
Annexure-R2: Copy of the statement of the applicant dated 30.01.2014
Annexure-R3: Copy of the statement of the applicant dated 27.11.2013

Annexure-R4: Copy of the order dated 23.08.2018 in OA No. 907/2013

Annexure-R5: Copy of the order dated 26.08.2014 in OA No. 880/2013

Annexure-R6: Copy of the order dated 13.03.2017 in OA No. 416/2016

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