

NO. 2498-99 /F.DP-NO.10/2016/V.S/TSR-13/ESTT/2016

GOVERNMENT OF TRIPURA
OFFICE OF THE COMMANDANT, 13TH BN TRIPURA STATE RIFLES (IR-IX)
SUBASHNAGAR, KANCHANPUR, NORTH TRIPURA

Dated, the 22 February, 2017

To
The Director
Information Cultural Affairs, Government of Tripura
Gandhighat : Agartala

Subject : PUBLICATION OF MEMORANDUM IN LOCAL AND NATIONAL NEWSPAPERS

Sir,

With reference to the above, it is to inform you that one No.08121129 Rifleman (GD) Vivek Singh of 13th Battalion TSR (IR-IX) ~~was~~ proceeded to avail 25(twenty five) days Earned Leave wef. 19.03.2016(FN) to 12.04.2016(AN) with permission to avail sufficing holidays on 13th & 14th April, 2016 along with journey period for 06 (six) days wef. 15.04.2016 to 20.04.2016. However, after expiry of aforesaid leave period, he did not resumed his Govt. duty thereby unauthorizedly overstaying himself wef. 21.04.2016 (FN) to till date.

02. In this connection, a Memorandum vide No.11474/F.DP-NO.10/2016/V.S/TSR-13/ESTT/2016 dated 26th October, 2016 has been sent to his home address i.e. S/O Shri Meharban Singh, resident of village Kathur, PO - Dandapani, PS - Poudi, District - Poudi Garhwal, State - Uttrakhand, Pin - 246194 as well as Officer in-Charge of concerned Police Station i.e. Poudi PS with a request to serve the said Memorandum to him. However, the said Memorandum dated, 26th October, 2016 has been returned back to this office by Sri Kishan Singh Negi, Uppajiladhikari, Barhayu Poudi, Uttrakhand stating that No.08121129 Rfn(GD) Vivek Singh has not been found at his home address and as per opinion of the Tehsildar, he is presently staying in Dehli with his family members. As a result, the said Memorandum dated, 26th October, 2016 could not be served to No.08121129 Rifleman (GD) Vivek Singh of this unit as his present address in Delhi is not available with this Unit.

03. In this regards, 07(seven) copies of Memorandum vide No.11474/F.DP-NO.10/2016/V.S/TSR-13/ESTT/2016 dated 26th October, 2016 is forwarded herewith for publication of the same in at least 03 (three) leading local daily newspapers of Tripura as well as 03 (three) leading national newspapers of Dehli/Uttrakhand.

04. It is therefore, requested to make necessary arrangements to publish the aforesaid Memorandum dated 26th October, 2016 in at least 03 (three) leading local daily newspapers of Tripura as well as 03 (three) leading national newspapers of Dehli/Uttrakhand latest by 06.03.2017 and also a line of confirmation in this regard may kindly be sent to this office for further necessary action.

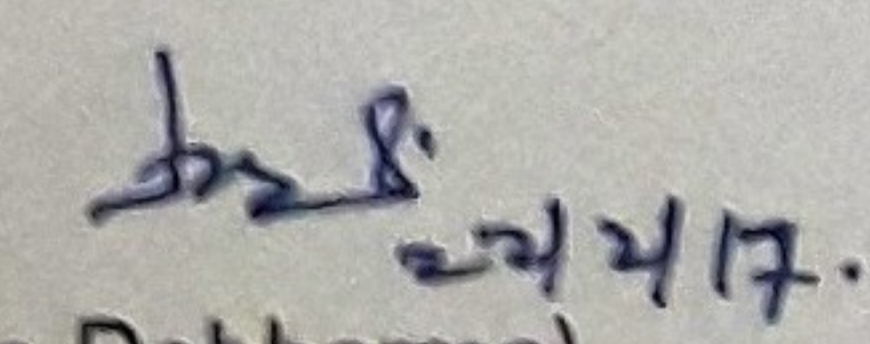
Yours faithfully,

Enclo : As stated above

(Nagendra Debbarma)
Commandant
13th Bn TSR (IR-IX)

Copy (soft) to :

01. ✓ I/C E-Governance Cell, PHQ, Tripura, Agartala – with a request to publish the said Memorandum dated 26th October, 2016 in Tripura Police website www.tripurapolice.nic.in


(Nagendra Debbarma)
Commandant
13th Bn TSR (IR-IX)

GOVERNMENT OF TRIPURA
OFFICE OF THE COMMANDANT, 13TH BN TRIPURA STATE RIFLES (IR-IX)
(SUBASHNAGAR, KANCHANPUR, NORTH TRIPURA)

Dated, the 26 October, 2016

MEMORANDUM

The undersigned proposes to hold an inquiry against No. 08121129 Rfn(GD) Vivek Singh of "D"- Coy, 13th Bn TSR (IR-IX) under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 read with Rule 40 of the Tripura State Rifles (Discipline, Control, Service Conditions, etc.), Rules, 1986. The substance of the imputations of misconduct or misbehavior 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 misbehavior 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 and IV).

2. No. 08121129 Rfn(GD) Vivek Singh of "D"- Coy, 13th Bn TSR (IR-IX) 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. No. 08121129 Rfn(GD) Vivek Singh of "D"- Coy, 13th Bn TSR (IR-IX) 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.

5. Attention of No. 08121129 Rfn(GD) Vivek Singh of "D"- Coy, 13th Bn TSR (IR-IX) 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 with in these proceedings, it will be presumed that No. 08121129 Rfn(GD) Vivek Singh of "D"- Coy, 13th Bn TSR (IR-IX) 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.

Enclosed: - Annexure-I to IV.

26/10/16
(Nagendra Debbarna)
Commandant
13th Battalion TSR (IR-IX)

Copy to:- (THROUGH REGISTERED POST WITH A.D OR SPECIAL MESSENGER)

1. No. 08121129 Rfn(GD) Vivek Singh
S/O Shri- Meharban Singh, Vill : Kathur,
PO :Dandapani, PS : Poudi, Dist : Poudi Garwal.
State- Uttrakhand, Pin-246194.

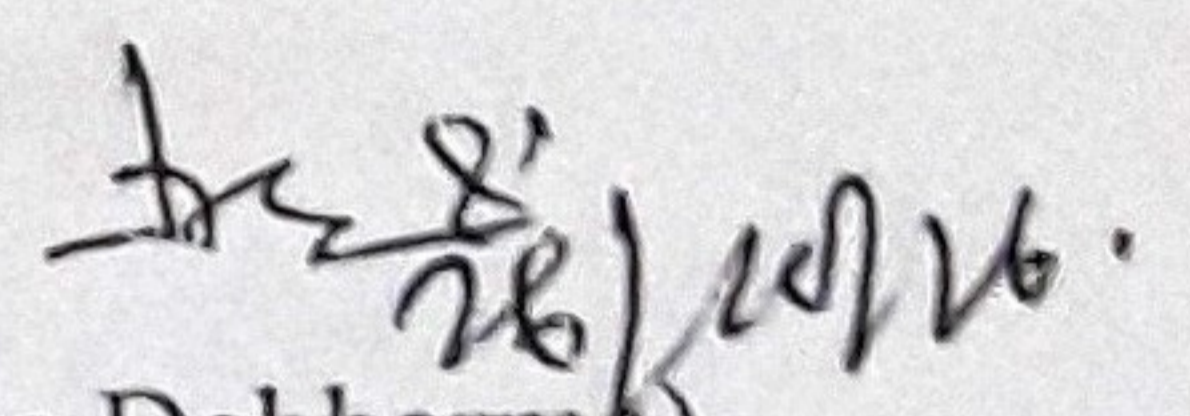
2. OC 'Poudi' Police Station, State-Uttrakhand- You are requested to arrange to serve a copy to the concerned individual and return a copy to this office after obtaining his signature on the same for maintaining official record.

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST NO. 08121129 Rfn(GD)
VIVEK SINGH OF 'D'- COY, 13TH BN TSR (IR-IX)

Article - I

That, No.08121129 Rfn(GD) Vivek Singh of D- Coy, 13th Bn TSR (IR-IX) proceeded to avail 25(twenty five) days Earned Leave wef.19.03.2016(FN) to 12.04.2016 (AN) with permission to avail suffix on 13th & 14th April, 2016 and 06(six) day's journey period wef.15.04.2016 to 20.04.2016 and after expiry of leave period, he was supposed to resume duty on 21.04.2016 (FN), but he did not resumed on his duty after the expiry of his leave period and unauthorizedly overstaying w.e.f 21.04.2016 (FN) to till date.

Thus, he has committed a gross misconduct, which is prejudicial to good order and discipline of the Rifles Under Section 12 (1) of TSR Act, 1983.


(Nagendra Debbarma)
Commandant
13th Battalion TSR (IR-IX)

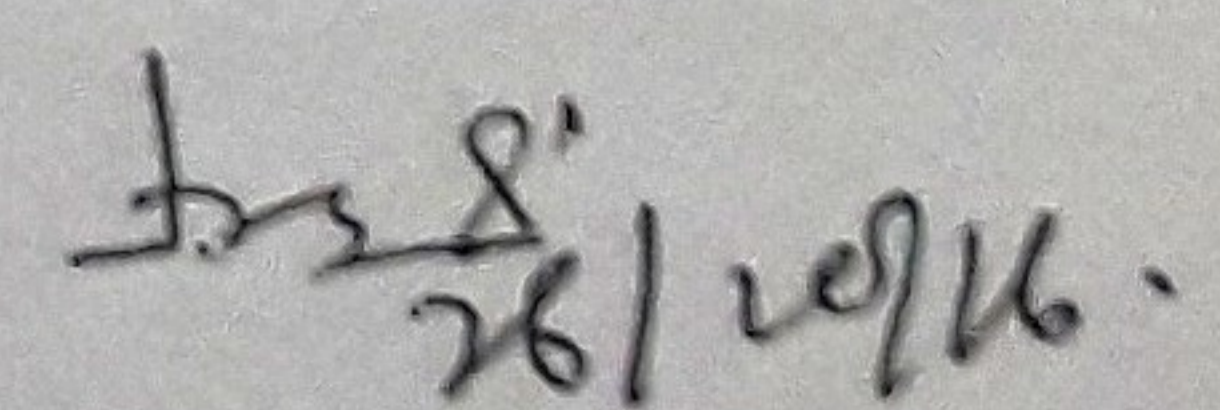
ANNEXURE - II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT
OF THE ARTICLES OF CHARGE FRAMED AGAINST NO.08121129 Rfn(GD) VIVEK
SINGH OF 'D'- COY, 13TH BN TSR (IR-IX)

Article - I

That, No.08121129 Rfn(GD) Vivek Singh of D- Coy, 13th Bn TSR (IR-IX) proceeded to avail 25(twenty five) days Earned Leave wef.19.03.2016(FN) to 12.04.2016 (AN) with permission to avail suffix on 13th & 14th April, 2016 and 06(six) day's journey period wef.15.04.2016 to 20.04.2016 and after expiry of leave period, he was supposed to resume duty on 21.04.2016 (FN), but he did not resumed on his duty after the expiry of his leave period and unauthorizedly overstaying w.e.f 21.04.2016 (FN) to till date.

In this regard, 03 (three) Notices vide No.4261 Pers/TSR-13/Estt/V.S/08 dated, 06.05.2016, No.5468/F.Pers/TSR-13/Estt/V.S/08 dated, 03.06.2016 and No.6855/F.Pers/TSR-13/Estt/V.S/08 dated, 08.07.2016 have been served directing him to join his duty at Bn. HQR. but he did not turn up and overstaying unauthorizedly to till date, which is prejudicial to good order and discipline of the Rifles Under Section 12 (1) of TSR Act, 1983. Subsequently, No.85011039 Sub(GD) Gendanlal Gwari was directed vide this office order No.8040.F.01.(81)/TSR-13/Estt/2011 dated 02.08.2016 to conduct a preliminary enquiry into the facts and accordingly, the preliminary enquiry report submitted by him has established the misconduct of unauthorized overstaying from leave by the said Rfn(GD) Vivek Singh of 'D' Coy, 13th Bn. TSR (IR-IX).

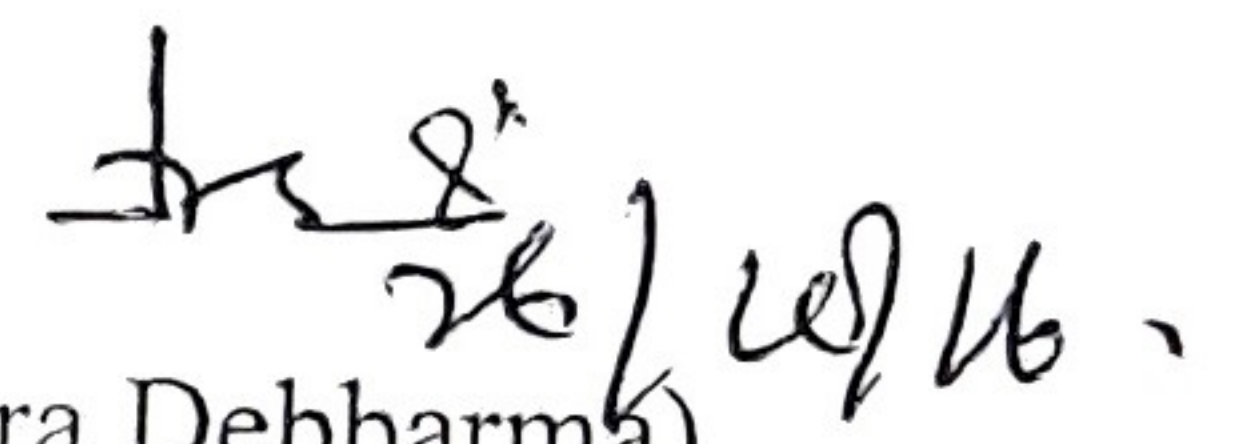

(Nagendra Debbarma)
Commandant
13th Battalion TSR (IR-IX)

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST NO.08121129 RFN(GD) VIVEK SINGH OF 'D'- COY, 13TH BN TSR (IR-IX) ARE PROPOSED TO BE SUSTAINED.

1. OSL report submitted by No.85010750 Hav(GD) Prashanta Sharma, BHM, 13th Bn TSR (IR-IX) vide Letter No. 0015/TSR-13/OSL-AWL/GD/0299/16 dated 24.04.2016.
2. Copy of leave certificate dated 18.03.2016.
3. GD extract copy dated 18.03.2016 & 24.04.2016.
4. Notices - No.4261 Pers/TSR-13/Estt/V.S/08 dated, 06.05.2016, No.5468/F.Pers/TSR-13/Estt/V.S/08 dated, 03.06.2016 and No.6855/F.Pers/TSR-13/Estt/V.S/08 dated 08.07.2016
5. Preliminary enquiry report submitted by No.85011039 Sub (GD) Gendanlal Gwari of A-Coy, 13th Bn TSR (IR-IX).

In addition to the above mentioned documents, the Enquiry Officer is permitted to examine any other documents relating to the circumstances of the case.

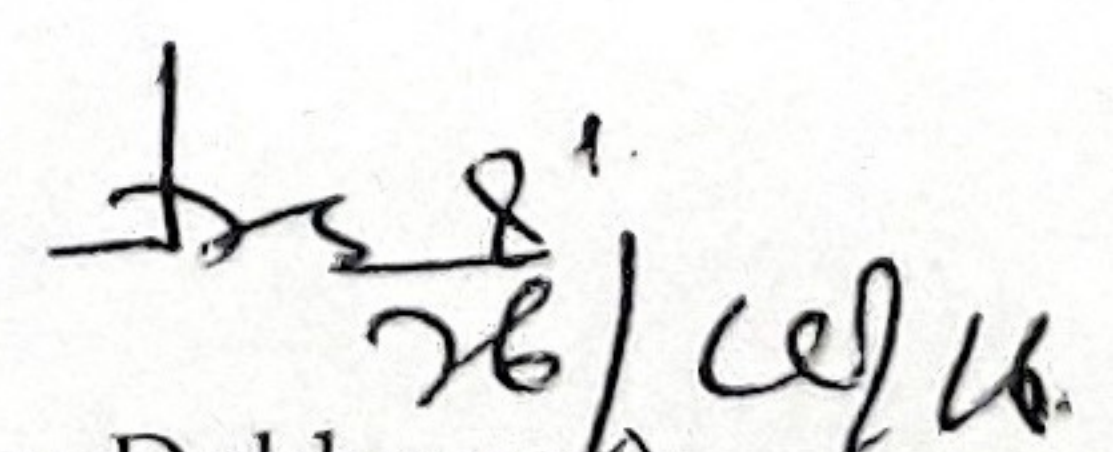

(Nagendra Debbarma)
Commandant
13th Battalion TSR (IR-IX)

ANNEXURE - IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST NO. 08121129 RFN(GD) VIVEK SINGH OF 'D'- COY, 13TH BN TSR (IR-IX)

1. No. 85011039 Sub(GD) Gendanlal Gwari of A-Coy, 13th Bn TSR (IR-IX).
2. No. 02060017 Sub(Med) Alok Bhowmik of Adm-Coy, 13th Bn TSR(IR-IX)
3. No. 85010750 Hav(GD) Prashanta Sharma, of Adm-Coy, 13th Bn TSR(IR-IX)
4. No. 97050409 NK(GD) Amrit Sadhan Jamatia, Adm-Coy, 13th Bn TSR(IR-IX)

In addition to the above mentioned Prosecution Witnesses, the Enquiry Officer is permitted to examine any other witnesses relating to the circumstances of the case.


(Nagendra Debbarma)
Commandant
13th Battalion TSR (IR-IX)