

GOVERNMENT OF TRIPURA
OFFICE OF THE COMMANDANT, 1ST BN TRIPURA STATE RIFLES
V.B GRAM, GOKULNAGAR SEPAHIJALA TRIPURA
PIN CODE - 799 102
E-Mail Id: co1stbntsr@tripurapolicenic.in

No. F. Pers/TSR-1/Estt/RS/2002/ 9976

Dated: 20th November, 2023

// PROVISIONAL ORDER //

WHEREAS, a disciplinary proceedings under Rule 14 of the Central Civil Services (Classification, Control & Appeal) Rules, 1965 read with Rule 40 of the TSF (Discipline, Control, Service Conditions, etc.) Rules, 1986 was initiated against No. 02040681 Rfn (GD) Ratan Surtadhar of Adm-Coy, 1st Bn TSR vide this office Memorandum No. F. Pers/TSR-1/Estt/RC/1998/8608 dated 12.12.2022 on the article of charge:-

ARTICLE - I

That the said No. 02040681 Rfn (GD) Ratan Surtadhar of 1st Bn TSR proceeded on 60 (sixty) days Earned Leave w.e.f. 31.08.2021 to 29.10.2021 from Bn HQR., Gokulnagar, Sepahijala Tripura. But, after expiry of the said leave, he did not turn up his duty and has been overstaying beyond the period of sanctioned leave w.e.f. 30.10.2021 to till date without prior permission of the authority, which is pre-judicial to good order and discipline being a member of the Rifles under section 12(1) of the TSR Act, 1983.

Thus, No. 02040681 Rfn (GD) Ratan Surtadhar of Adm-Coy, 1st Bn TSR committed an offence which is punishable under section 12(1) of TSR Act, 1983.

AND WHEREAS, a statement of imputation of misconduct or misbehavior in support of the article of charge was framed together with a list of documents by which and a list of witnesses by whom the charge was proposed to be sustained, was also forwarded to him along with the said memorandum vide No. F.Pers/TSR-1/Estt/RC/1998/8608 dated 12.12.2022 with a direction to submit written statement of his defence and also to state whether he desired to be heard in person within 10 (ten) days from the date of the receipt of the memorandum dated 12.12.2022. The said memorandum was received by the charged officer on 07.01.2023.

AND WHEREAS, Shri Binoy Kumar Gour, Asstt. Comdt., 1st Bn TSR was appointed as the Inquiring Authority vide order No. F.Pers/TSR-1/RS/Estt/2021/698 dated 31.01.2023 and Sub (Medical) Pankaj Majumder, 1st Bn TSR was appointed as Presenting Officer vide order No. No. F.Pers/TSR-1/RS/Estt/2021/699 dated 31.01.2023. On 24.11.2023 the Inquiry Authority Shri Binoy Kumar Gour, Asstt. Comdt., 1st Bn TSR has submitted his inquiry report stating that the Article of Charge framed against No. 02040681 Rfn (GD) Ratan Surtadhar of Adm-Coy, 1st Bn TSR is established beyond any doubt.

Contd...P/02

AND WHEREAS, the undersigned being the Disciplinary Authority perused the DP file with careful examination, all relevant documents and gravity of the offence. On perusal of DP file, it is observed that the Inquiry Authority conducted day to day enquiry observing all codal formalities. The Inquiry Authority issued 'notice to the charged officer through local newspapers for wide publicity. The said notice was published in Dainik Sambad / Pratyasha on 15.07.2023 and Ajker Fariad / Manush / Pragati Sambad on 16.07.2023. The Inquiry Officer also arranged physical verification of the whereabouts of the charged officer by O/C Madhupur PS. It appears that ample opportunity was given to the Charged Officer. The opinion of the Inquiry Officer is that the Article of Charge No.1 levelled against No. 02040681 Rfn (GD) Ratan Surtadhar of Adm-Coy, 1st Bn TSR is established beyond any doubt.

During course of Enquiry and after careful analysis of statement of PWs and relevant documents and other circumstantial evidence, it is crystal clear that No. 02040681 Rfn (GD) Ratan Surtadhar of Adm-Coy, 1st Bn TSR has overstayed from leave from 30.10.2021 without permission of the competent authority and the delinquent official has till been absenting unauthorizedly. He has also not co-operated with the Inquiry Officer in course of Enquiry of the instant DP despite getting ample opportunities from the Inquiry Officer. As a result, the Inquiry Officer had no any option except conducting **ex-parte enquiry**. The charge framed against No. 02040681 Rfn (GD) Ratan Surtadhar of Adm-Coy, 1st Bn TSR under 12(1) of TSR Act, 1983 is thus proved beyond doubt. Moreover, the guidelines of DIGP, AP (Adm & Trg.), Tripura vide letter No. 3726-42/F. 47(7) / DIGP (AP &Ops)/19 dated 09.07.2020 has also been taken into consideration.

Considering the above facts, the Disciplinary Authority in exercise of powers conferred upon U/S 12(1)(i) of the TSR Act, 1983 is proposing to impose the major punishment for **"REMOVAL FROM SERVICE WHICH SHALL NOT BE A DISQUALIFICATION FOR FUTURE EMPLOYMENT UNDER THE GOVERNMENT"**. That apart, the OSL period w.e.f 30.10.2021 (FN) to till the date of final punishment order is to be treated as **"DIES-NON"**.

NOW, THEREFORE, No. 02040681 Rfn (GD) Ratan Surtadhar of Adm-Coy, 1st Bn TSR is hereby given an opportunity to submit the representation on the penalty as proposed above. The representation if any should be submitted by No. 02040681 Rfn (GD) Ratan Surtadhar of Adm-Coy, 1st Bn TSR in writing to the undersigned within 10 (ten) days from the date of issue / publication of this provisional order in local newspapers.

The receipt of this provisional order should be acknowledged.


(Sudip Kumar Pall)
Commandant
1st Bn Tripura State Rifles

Copy to :-

1. No. 02040681 Rfn (GD) Ratan Surtadhar of Adm Coy 1st Bn TSR.

S/O – Late Haridas Surtadhar,

Vill + PO – Arabinda Nagar,

PS – Bishalgarh, Dist – Sepahijala, Tripura,

Pin Code – 799102