

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
DEPARTMENT OF DEFENCE
RAJYA SABHA
UNSTARRED QUESTION NO.668
TO BE ANSWERED ON 26th July, 2021

OFFICIALS SUSPENDED IN CANTONMENT BOARD, AGRA

668 SMT. CHHAYA VERMA:

SHRI VISHAMBHAR PRASAD NISHAD:

CH. SUKHRAM SINGH YADAV:

Will the Minister of Defence be pleased to state:

- (a) the name and designation of officials who were suspended in Cantonment Board, Agra and have been reinstated;
- (b) the details of charges on them and reasons for their suspension;
- (c) whether any of such officials were suspended for financial irregularities, if so, the details of such financial irregularities;
- (d) the name and designation of the officials involved in enquiry of such officials;
- (e) the details of procedure followed in the enquiry;
- (f) whether any recoveries have been made from the officials involved in financial irregularities and if so, the details of such recoveries; and
- (g) the details of the report of enquiry?

ANSWER
MINISTER OF STATE IN THE MINISTRY OF DEFENCE
SHRI AJAY BHATT

(a) & (b): There are 11 such officials who have been suspended and reinstated during the last 05 years in Agra Cantonment Board. The details with regard to names, designations and charges on them and reasons for suspension may be seen in **Annexure-A**.

(c) Only one such official namely Shri Awdhesh Kumar, Rickshaw Stand Fee Moharrar (RSFM) was suspended on 11.04.2019 for financial irregularities and reinstated on 10.08.2020. While performing the duties as Tax Collector, the official had recovered revenue from various Cantonment residents/shopkeepers but he neither issued receipts to the tax payers and nor deposited the money which collected with Cantonment Board. The details of financial irregularities are given at **Annexure 'B(I)&(II)'**.

(d) The following officials were involved in the inquiry:

(i) Inquiry Officer- Shri Sanjeev Kumar Srivastava, Assistant Defence Estates Officer, Agra Circle, Agra.

(ii) Presenting Officer- Shri Ramveer Singh, Senior Teacher, Cantonment Inter College, Sultanpura, Agra Cantt.

(e) Inquiry against Shri Awdhesh Kumar was conducted in accordance with the provisions of rules 12, 12-A, 12-B and 12-C of Cantonment Fund Servant Rules, 1937 (CFSR, 1937). A charge-sheet was issued to the said official and Inquiry Officer and a Presenting Officer were appointed to conduct the inquiry. The Inquiry Officer, after going into details of the charges leveled against Shri Awdhesh Kumar, carried out investigation in the matter and thereafter submitted Inquiry Report to the Disciplinary Authority i.e. the Chief Executive Officer, Cantonment Board, Agra.

(f) No recovery was made from the official involved in financial irregularity.

As per the Inquiry Report, no financial loss was caused by the charged official i.e. Shri Awdhesh Kumar.

(g) As per the Inquiry Report, the complainants have submitted affidavits and letters that they were misguided by some people and compelled to lodge false complaints against Shri Awdhesh Kumar. A copy of the Inquiry Report dated 29.07.2020 is enclosed as **'Annexure C'**.

ANNEXURE-A REFERRED TO IN REPLY TO PARTS (a) & (b) OF RAJYA SABHA UNSTARRED QUESTION NO. 668 FOR ANSWER ON 26.07.2021 REGARDING 'OFFICIALS SUSPENDED IN CANTONMENT BOARD, AGRA'.

SUSPENSION DETAIL OF EMPLOYEES

Sl. No.	Emp Name	Designation	Suspension Date	Date of Reinstatement	Grade Pay	Reasons for suspension
1	Shri. Mukesh s/o Foran Singh	Safai Karamchari	18-11-2017	01-01-2018	1900	He was found drunk during the duty hours, used unparliamentary language and vandalised office furniture and also indulged in violence.
2	Shri. Sohan Singh s/o Ram Baboo	Cleaner	14-03-2018	27-07-2018	2800	He was found drunk during the duty hours, used unparliamentary language and proceeded on long leave without giving any intimation.
3	Shri. Saleem S/o Sakoor	Bhisti	12-09-2018	27-09-2018	2400	He failed to discharge his duties besides repeated instructions. He was also found absent from the duty without any information.
4	Shri Banarasi Das s/o Ram Baboo	Peon	24-10-2018 25-04-2019	07-12-2018 17-06-2019	1900	Suspended during 24.10.2018 for using unparliamentary language and indulged in to altercation with the employees. He was reinstated on 07.12.2018. He was again suspended on 25.04.2019 for breaking the biometric attendance machine in the Cantonment School and also found drunk during the duty hours. He also used unparliamentary language. He was reinstated on 17.06.2019.

5	Shri Awdhesh Kumar	Rickshaw Stand Fee Moharrar	11-04-2019	10-08-2020	2400	Suspended on account of financial irregularity charges against him. Charge sheet was issued to him for the allegations made against him. He was reinstated after conducting inquiry by inquiry officer.
6	Shri Akhilesh Kumar s/o Hukam Singh	Safai Karamchari	02-05-2019	08-07-2019	1800	He was found drunk and misbehaved with the office superintendent and used unparliamentary language. He also tried to snatch mobile phone.
7	Smt. Sonali Chakraborty	Asstt. Teacher	24-08-2019	05-09-2019	4600	Suspended due to slapping of girl & students family member studying in Cantonment School.
8	Shri Manish Kumar	Sanitary Inspector	07-11-2019	19-11-2019	4200	Placed under suspension as he was jailed for more than 24 hrs due to alleged corruption against him. He was taken on duty as per the legal opinion by the Cantonment Board legal advisor (labour) dt. 19.11.2019 after his release from custody
9	Shri Lotan Singh s/o Bhogi Ram	Safai Karamchari	03-06-2020	08-07-2020	2800	He was found drunk during the duty hours and for use of unparliamentary language.
10	Shri Bablu s/o Farzand Ali	Mazdoor	02-06-2021	23-06-2021	2400	He was found drunk during the duty hours, used unparliamentary language and also indulged in to violence.
11	Shri Mukesh Kumar s/o Hari Singh	Sanitary Supervisor	02-06-2021	23-06-2021	2400	He was found drunk during the duty hours.

**ANNEXURE-B-I REFERRED TO IN REPLY TO PART (c) OF RAJYA SABHA
UNSTARRED QUESTION NO. 668 FOR ANSWER ON 26.07.2021 REGARDING
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**STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SHRI.
AWDHESH KUMAR, RICKSHAW STAND FEE MOHARIR, CANTONMENT
BOARD, AGRA**

ARTICLE-I

a) That Shri Awadhesh Kumar, RSFM, while performing the duties as Tax collector recovered revenue from various Cantonment residents/shopkeeper and pocketed the same, but did not issue 4-b receipt to the tax payers in lieu of amount collected despite their repeated visits/requests.

ARTICLE-II

b) That Shri Awadhesh Kumar did not deposit the money with Cantonment fund and caused loss to the exchequer which amounts to revenue embezzlement.

ARTICLE-III

c) That Shri Awadhesh Kumar cheated various Cantonment residents and put the organization into bad light.

**ANNEXURE-B-II REFERRED TO IN REPLY TO PART (c) OF RAJYA SABHA
UNSTARRED QUESTION NO. 668 FOR ANSWER ON 26.07.2021 REGARDING
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**STATEMENT OF IMPUTATION OF MISCONDUCT AND MISAPPROPRIATION IN
SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST SHRI AWDHESH
KUMAR, RICKSHAW STAND FEE MOHRARI, CANTONMENT BOARD, AGRA**

ARTICLE-I

a) That Shri Manish Sawhney occupier of Shop no. F-30, Shopping Arcade, Agra Cantt. has alleged, vide written complaint dated 08.05.2019 , that Shri Awadhesh Kumar, Cantt. Board, Agra collected Rs 2,83,000/- from him. Against rent of the shop number F-30, without issuing 4-B receipt even after regular demand for 4-b receipt from him. Shri Awadhesh Kumar also failed to deposit the said amount in Cantt. Fund account, thereby causing revenue loss to the Cantt. Board. Shri Manish Sawahney also submitted an audio CD containing conversation that took place between him and Shri Awadhesh Kumar regarding the payment of collected amount to corroborate his allegation against the charged official.

ARTICLE-II

b) That 11 stall holders in front of Agra Fort Railway station had approached Shri Awadhesh Kumar in connection with Trade licence for the year 2018-19. Shri Awadhesh demanded licence fee @ Rs 1,000/- each stall under section 277 of Cantonments Act, 2006. Shri Awadhesh Kumar collected licence fee but did not issued 4-b receipt to the 11 stall holders. He also did not deposit collected amount in Cantt. Fund. The stall holders from whom he collected licence fee are given hereunder:-

- a) Shri Hari Kishore
- b) Shri Samia
- c) Shri Bishan Sharma
- d) Shri Narendra Singh
- e) Shri Sangeeta Goswamy,
- f) Shri Laxmi Narain
- g) Shri Lokesh
- h) Shri Hari Har nath
- i) Shri Anil
- j) Shri Pappu Haji
- k) Shri Naseem Chaudhary

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ARTICLE-III

c) That Shri Mohan Singh, H.No. 32, Solanki Market Sadar Bazar, Agra Cantt. vide letter dated 6.5.2019 has alleged that Shri Awadhesh Kumar collected Rs 1000/- towards tax of shop but did not issue 4 -b receipt. He also failed to deposit the amount in Cantt. fund.

ARTICLE-IV

c) That Mohd. Salauddin, occupier of shop no. 21, Solanki Market, Sadar Bazar, Agra Cantt. vide letter dated 25.5.2019 alleged that Shri Awadhesh collected one year rental in 2018 in respect of shop no. 21 as damage charges. But neither he issued 4-b receipt nor deposited the amount in Cantt. fund.

ARTICLE-V

d) That one Mr. Mohd. Zunaid Ahmed Qureshi resident of H.NO. 564A, Sultanpura has filed against Shri Awadhesh Kumar, dated 22.5.2019 making various allegations. Contents of the letter are available on record.

ARTICLE-VI

e) Sh. Ronak Saluja occupier of shop no. F-4, Shopping Arcade, Sadar Bazar, Agra vide letter dtd 12.07.2019 has made allegations against Sh. Awadhesh Kumar. Perusal of the letter reveal that Sh. Awadhesh Kumar collected rent of the shop but failed to issue 4-B receipt to the occupier besides repeated follow up by the occupier. Sh. Awadhesh Kumar gave assurance to the occupier but didn't return any money to him and also didn't deposit the amount to the Cantt. fund. Occupier have requested to this office for refund of Rs. 50,160/- to him.

**ANNEXURE-C REFERRED TO IN REPLY TO PART (g) OF RAJYA SABHA
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STATEMENT OF THE CASE

In reference to Cantonment Board Agra Cantt, letter No. 10/Tax/RS/CBA/2020/265 dated 07 Feb. 2020, and DEO Agra letter No. I/A/Misc/Adm dated 05 March 2020, the matter has been investigated and observed following.

After scrutiny of documents provided to me it has been observed that subject matter is related to Sri Awadhesh Kumar (R.S.F.M) of Cantt. Board Staff Agra is in respect of collection of rent/license fee from shop/stalls, where allegations are made that rent and license fee have been collected from the complainents but no receipts are provided.

In this connection following persons have made complain against Sri Awadhesh Kumar and mentioned that he did not provide receipts to the amount which they have made payment.

A list of complainents their application and affidavits submitted are as under.

SL.	NAME OF COMPLAINENTS	REFUSAL LETTER OF COMPLAINER DATED	AFFIDAVIT SUBMITTED BY COMPLAINER
1	Sri Brij Kishore, Samiya, Sri Bishan Sharma, Sri Narendra Singh, Sangeeta Goswami, Sri Laxmi Narain, Sri Lokesh Alam, Sri Harihar Nath, Sri Anil. Sri Pappu Hazi and Nasim Chaudhary	Letter dated 02-04-2019 received at Cantt. Board Agra on 02-4-2019	Vide letter dated 31-08-2019 and affidavit dated 24-10-2019
2	Sri Mohan Singh	Received at Cantt. Board Agra on 06-5-2019	Vide letter dated 01-09-2019 and affidavit dated 24-10-19
3	Mohd. Slauddin	Letter dated 25-5-2019 received at Cantt. Board on 25-5-2019 and letter dated 27-06-2019 received at Cantt. board on 28-6-2019	Vide letter dated 30-08-2019 and vide affidavit dated 24-10-19

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4	Mohd. Junaid	Letter dated 18-5-2019, received at Cantt. Board on 22-5-2019	As per the letter dated 30-08-2019 Mohd Salauddin and Sammi Bhai intimated that no person in the name of Mohd. Junid is total false.
5	Sri Manish Sahani	Letter dated 08-5-2019 received at Cantt. Board on 08-5-2019	Vide letter dated 30-9-19 and vide affidavit dated 24-10-2019
6	Sri Ronak Salooja	Letter dated 12-7-2019 received at Cantt. Board on 12-7-2019	Vide letter dated 19-10-19 and vide affidavit dated 24-10-2019
7	Mohd. Rashid	Letter dated nil and received at Cantt. Board on 26-11-2019	Vide affidavit dated 03-06-20
8	Sri Vinod Kumar	Letter dated 26-12-2019, addressed to Brig. Alin Deb Saha	Common complain of Sri Avadhesh Kumar and Sri Manish, and taken reference of tax collection. As per affidavit submitted by the complainer, matter is being looked after.

The matter have been heard on 01-06-2020, 02-07-2020, 7-07-2020 and 17-7-2020 in presence of Sri Awadhesh Kumar and Sri Ramveer Singh (presenting officer). Sri Awadhesh Kumar replied all the questions as raised by Enquiry officer. Some connected documents have also been provided by Sri Awadhesh Kumar.

List of documents submitted by Sri Avadhesh Kumar before the enquiry officer at the time of hearing and questionnaire.

- (1) Copy of letter submitted by Mohd. Salauddin dated 30-08-2019
- (2) Original letter of Mohd. Rashid dated Nil
- (3) Affidavit submitted by Mohd Rashid dated 03-06-2020.

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S.L	QUESTION	ANSWER
1.	Do you know complainents	YES, Except Mr.Jawed and few complainents name mentioned in the letter dated 02-04-2019
2	Why they complains against you	They misguided by the peoples who did not know the facts
3	Can you open the name	They will have against me.
4.	Have you taken extra money from them	No. Complainents himself denied in the affidavit submitted by them
5.	What do you say about about CD, do you know about CD	Yes I know, but I did not talk to Mr Sahani telephonically and Mr Sahani accepted their fault vide his letter.

In the affidavits and letters submitted by the complainants they have disclosed that they have been misguided by the people and compelled to lodge false complaints against Shri Awadhesh Kumar.

Since all the complainants have accepted their fault by writing letters and signing affidavits, therefore, it appears that this matter has not involved any financial loss to the Govt. rent and license fees, if any due upon the complainants the same may be recovered under specified procedure. In this connection please refer this office letter 4/3379 dated 24-7-2020

Submitted for your perusal and further necessary action please.
