

Department of Posts, India
O/o the Sub Postmaster (Highis/her Selection Grade I), ----- S.O, Chennai -----

Memo No. B1/51/PF/-- dated at -----S.O ----- the 20/05/2025.

PROCEEDINGS

Read the following

1. ----- S.O Memo No.. B1/34/PF/-- dated at ----- S.O ----- the 02/05/2025
2. ----- S.O letter even No. B1/13/--/PF dlgs dated at ----- SO the 07/04/2025
3. ----- S.O letter even No. Staff/25/--/PF dlgs dated at ----- SO the 16/04/2025
4. ----- S.O letter even No. B1/14/--/PF dlgs dated at ----- SO the 07/09.04.2025
5. ----- S.O letter even No. Staff/25/--/PF dlgs dated at ----- SO the 19.04.2025

1. Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- was informed vide this office memo No. B1/34/PF/-- dated at ----- S.O ----- the 02/05/2025, that it was proposed to take action against his/her under Rule 16 of CCS(CCA) Rules 1965 on the basis of statement of imputations of misconducts attached to the said memo which are reproduced below.

2. Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- applied casual leave for one day on 05.04.2025. Competent authority has sanctioned said casual leave for one day on 05.04.2025. But from 04.04.2025 to 09.04.2025 already two officials are short at ----- S.O. So one substitute arrangement was requested to the Divisional office to relieve Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- . Vide Divisional office eMail dated 04/04/2025, Divisional office directed to manage the various spells of 5 officials' leaves for the period from 01/04/2025 to 15/04/2025 under office arrangement. Hence vide ----- S.O eMail dated 04/04/2025 it was informed to the divisional office that due to acute shortage Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- and two more officials could not be relieved under office arrangement for their applied leaves from 05.04.2025 to 09.04.2025

3. Such eMail instructions were put up to Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- and two more othis/her officials also by clearly informing that Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- could not be relived on 04/04/2025 to avail his/her casual leave on 05.04.2025 and he/he/she had also acknowledged the same on 04/04/2025.

4. Despite of that Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- was found absent on 05.04.2025 which caused serious dislocations in official duties and public service at ----- S.O. During the financial year beginning sufficient official was not this/here to even to deploy in SB counter. When Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- directed to look after SB Branch single handedly on 04.04.2025 due to shortage, the same was argued by Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- by stating that during the financial year beginning, it is not possible due to several 15H updations and bulk deposits. But next day he/he/she was found absent which caused ----- S.O to not even deploy official to even to that single SB Counter. When othis/her official attended duty after he/he/she has not relieved, Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- found absent on 05.04.2025, knowing very well about the office position and consequences of unauthorized absence.

5. In this regard vide ----- S.O letter No. B1/13/--/PF dlgs dated at ----- SO the 07/04/2025 Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- was instructed to submit his/her explanation for being absent on 05/04/2025 within 3 days from the date of receipt of that letter furthis/her stated that failing which action will be taken against him/her as *EXPARTE*. Said letter was acknowledged by Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- on 07/04/2025. But Shri/Smt.-----, Postal Assistant,

----- S.O, Chennai ----- had not submitted his/her explanation for being absent on 05/04/2025 till date.

6. In the mean time, on 08.04.2025, Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- had submitted a representation to the divisional office by stating that SPM ----- S.O has exceeded his powers in issuing orders to the PA cadre official and requested to issue suitable instructions to SPM, ----- SO to follow DG instructions scrupulously.

7. But vide Postal Directorate No.12/6/89-Vig.III dated 27.08.1990, Postmaster/Sub Postmaster in Highis/her Selection Grade (in his own office) are disciplinary authority in respect of the officials of the cadre of Postal Assistants. For good and sufficient reasons, Highis/her Selection Grade Postmasters could exercise the disciplinary authority powers upon the Postal Assistants in his own office. So question of exceeding the powers will not arise.

8. Vide representation dated 08.04.2025 to the divisional office, Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- has further stated that he/she has availed casual leave after granting through portal.

9. But vide Rule No.7 of CCS Leave Rules
Leave cannot be claimed as of right. When the exigencies of public service so require, leave of any kind may be refused or revoked by the authority competent to grant it,

10. Hence by stating above citations, representation of Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- was forwarded to the Divisional office with para wise comments by ----- S.O. By informing all these citations, vide ----- S.O letter even No. Staff/25/--/PF dlgs dated at ----- SO the 16/04/2025, Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- was educated with above Directorate guidelines. Further Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- was directed to show cause as why he/she has failed to give his/her explanation for being absent on 05.04.2025 and why said period should not be treated as *Diesnon* with further disciplinary action if any against his/her. Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- was instructed to submit his/her reply to the undersigned within 7 days from the date of receipt of that letter and stated that failing which action will be taken against you as *EXPARTE*. The same was also acknowledged by Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- on 16.04.2025. But till date for that also he/she has not submitted any representation.

11. In the mean while Vide Divisional office letter No. B1/PF/--/Dlgs dated at Chennai 600017 the 21.04.2025, Divisional office pleased to inform that with respect to the representation dated 08.04.2025, Divisional office acknowledged the para wise comments forwarded by ----- HSG I S.O and further intimated that *in view of the reason by the official in Para 1 of the representation dated 08.04.2025, his/her absence on 05.04.2025 is regularized with CL.*

12. But Casual Leave was sanctioned by the Divisional Head whereas Casual Leave Sanctioning authority is office Head. Further it is very important to mention here that when the proceedings are pending without passing final order, vide Rule 22 of CCS (CCA) Rules 1965, *no appeal shall lie against any order of an interlocutory nature of the nature of a (step-in aid of) the final disposal of disciplinary proceedings, other than an order of suspension.* Here when the proceedings were in interlocutory nature like explanation and show cause notice before finalizing the disciplinary proceedings, representation was decided by the Divisional office. So the appellate authority is at his/her liberty to confirm, enhance, reduce, or setting aside after the proceedings are over.

13. So Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- who is the charged official has violated the provisions of Rule 62 & 162 of Postal Manual Volume III corrected up to 01.07.1986 and Rule 7 of CCS (leave) Rules 1972 and hereby failed to maintain devotion to duty to unbecoming of a Government Servant vide Rule 3(1)(ii), 3(1)(iii) of CCS (Conduct), Rules 1964.

14. Further On 07.04.2025 Morning after resumed duty, after signing the attendance register, Shri/Smt.----- Postal Assistant, ----- S.O ----- captured the photo of

----- S.O attendance register through his/her personal mobile without any permission / authorization from the Postmaster, ----- S.O.

15. When the same was objected by the Postmaster, Shri/Smt.-----, Postal Assistant, ----- S.O ----- argued with the Postmaster by stating that absent was marked in the attendance register against his/her name for the date 05.04.2025 and to have a proof for making absent he/she stated that he/she had taken the photo copy of the attendance register.

16. But vide GID (2) under Rule No.11. Communication of official information of CCS Conduct Rules 1964 (2017 edition), unauthorized retention of official documents *is not only improper but also involves contravention of Rule 11 of the Government Servants Conduct Rules and Section 56 of the Official Secrets Act, 1923.....*

A Person contravening the provisions of the above Act renders himself liable to prosecution. Contravention of the provisions of the Act and the Conduct Rules can also be dealt with departmentally under the relevant Discipline Rules and may well justify the imposition of a suitable penalty with reference to the facts and circumstances of each case.

17. Therefore vide ----- S.O letter No. B1/14/--/PF dlgs dated at ----- SO the 07/09.04.2025 in this regard, Shri/Smt.-----, Postal Assistant, ----- S.O was directed to submit his/her explanation for taking the photo copy of Attendance register through his/her personal mobile without any permission within 3 days from the date of receipt of that letter failing which he/she was informed that action will be taken against his/her as EXPARTE. The same was acknowledged by him/her on 09.04.2025. But Shri/Smt.-----, Postal Assistant, ----- S.O ----- has not submitted any representation till date.

18. So vide ----- S.O letter even No. Staff/25/--/PF dlgs dated at ----- SO the 19.04.2025, Shri/Smt.-----, Postal Assistant, ----- S.O ----- was directed to show cause as why disciplinary action must not be taken against his/her under the principles of Rule No.11 of CCS Conduct Rules 1964. He/she was instructed to send the representation to the undersigned within 7 days from the date of receipt of that letter failing which it was informed that action will be taken against his/her as EXPARTE. The same was also acknowledged by his/her on 19.04.2025. But till date for that also Shri/Smt.-----, Postal Assistant, ----- S.O ----- has not submitted any representation.

19. Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- who is the charged official has violated the provisions of Rule 11 of CCS Conduct Rules 1964 and hereby failed to maintain devotion to duty to unbecoming of a Government Servant vide Rule 3(1)(ii), 3(1)(iii) of CCS (Conduct), Rules 1964.

20. Under the provisions of Postal Directorate letter No.12/6/89-Vig.III dated 27.08.1990 and Rule No. 16 of CCS (CCA) Rule 1965 against Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai -----, vide ----- S.O letter No. Memo No. B1/34/PF/-- dated at -----S.O ----- the 02/05/2025, charge sheet was issued to Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- along with above mentioned statement of imputation of misconducts. Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- was given with an opportunity to make such representation as he/she may wish to make against the proposal within 15 days from the date of receipt of that charge he/sheet. Further Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- was informed that if he/she failed to submit his/her representation within 15 days of the receipt of this memorandum, it will be presumed that he/she has no representation to make and orders will be liable to be passed against Shri/Smt.-----Postal Assistant, ----- S.O, Chennai ----- as ex-parte. The same was acknowledged by Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- on 03.05.2025 for that also he/she has not submitted any representation till date.

21. After careful examination of records, it is found that Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- has violated the provisions of Rule 62 & 162 of Postal Manual Volume III corrected up to 01.07.1986, Rule 7 of CCS (leave) Rules 1972 and the provisions of

Rule 11 of CCS Conduct Rules 1964 and this/hereby failed to maintain devotion to duty under Rule No. 3(1)(ii) of CCS (Conduct), Rules 1964.

ORDER

I, -----, Higher Selection Grade I, Sub Postmaster, ----- S.O, Chennai ----- do his/hereby order that the period of absence on 05.04.2025 as such unauthorized absence without constituting the break in service and let off with the punishment of "CENSURE" with a hope that Shri/Smt.-----, Postal Assistant, ----- S.O, Chennai ----- will not repeat such misconducts in future.

Sub Postmaster (HSG I)
----- S.O
Chennai -----

By RPAD:

Shri/Smt-----, Postal Assistant, ----- S.O, Chennai -----.

Copy To:

- 1) The Senior Superintendent of Post Offices, ----- Division, Chennai ----- (By Regd)
- 2) PF of the Official, Punishment Register
- 3) B – I Branch
- 4) The Postmaster, ----- HPO,
- 5) File Copy