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पूर्वी दिल्ली नगर निगम
INQUIRY REPORT

IN RDA NO. 03/34/2016/EDMC against Shri Rattan Lal S/o Shri Harlal,
F.W. of Anti malaria Operation (Public Health Department, Shah
(South) ZONE, EDMC.

1. The case pertains to a departmental inquiry against Shri Rattan Lal S/o Shri Harlal, F.W. of Anti malaria Operation (Public Health Department, Shah (South) ZONE, EDMC with reference to Charge Sheet No. 03/34/2016/EDMC/सी.पी.सी./विजी/2016/309 dated 23.1.2017.

The following is the record of the inquiry proceedings:-

- (A) Main file containing pages 1/N to 10/N and 1/C to 45/C Sheets before this Inquiry Report.

2. STATEMENT OF CHARGES FRAMED AGAINST Shri Rattan Lal S/o Shri Harlal, CO was as under :-

Shri Rattan Lal was working as Field Worker in Ward No. 226 (Vishwas Nagar), Public Health Department, Shahdara (South) Zone in the year 2014. He failed to maintain devotion to duty and committed gross misconduct in as much as he remained unauthorisedly absent from his duty w.e.f. 10.10.2014 without information as well as prior sanction of leave by the Competent Authority.

He thereby, contravened Rule 3 (1) (ii) (iii) of CCS (conduct) Rules, 1964 as made applicable to the employees of MCD/EDMC.

3. The CO in this case has not appeared on any of the dates of hearing. In fact, on account of non-appearance of the CO, the undersigned in the capacity of IO(IV) had put up a note in which I had stated that the CO was not turning on the date of hearing and I had sought orders to take decision in the case in accordance with laid down rules. However, after examining the case in its entirety, it was again sent to me with the directions to proceed with the case and submit inquiry report to the respective disciplinary authority.

I have, therefore, summoned the prosecution witnesses as per the list of witnesses annexed to the charge sheet (1) Dr. Ajay Handa, DHO, Shah(S), (2) Shri Suresh Chand, Sr. Malaria Inspector, Shah (S), (3) Shri Subhash Chand, MI/BC (Malaria) Shah South and (4) Shri Vinod Kumar, AMI/Circle Incharge, Shah (S). The statement of all the prosecution witnesses are reproduced below :-

Statement of Dr. Ajay Handa, s/o Late C.L.Handa, DHO/SNZ/PW-I (now DHO (hq))

I worked as DHO(Shah) South Zone during the relevant period. I have seen the document which is now produced as Ex. S-1. This bears my signature at 'A' and I confirm the content of my report. This is regarding unauthorized absence of Shri Rattan Lal, FW. He was issued a number of call letters (at Ex.S-2 - two call letters) to come back and join his duties but despite communication he did not turn up. Public Notices (Ex.S-3- four sheets) were also issued in leading newspapers. But he did not appear in the office even after publication of public notices. The police was also informed by his members of his family (Police report is produced is S-4- one sheet). But there was no trace of Shri Rattan Lal.

16/1/19

E.D.M.C.

During the last five years he has been running absent without permission and was not seen anywhere by me and also have not heard about him. The report submitted by me contains the detail/history of his absence. I depose on the basis of record that Shri Rattan Lal was first appointed in MCD as Malaria Beldar on 8.12.1986 and he has been found absent without authority since October, 2014.

Cross examination by CO the 'Nil' (being proceeded against ex-part)

Statement of Shri Subhash Chand, s/o Late Rajbir Singh then MI/BC, SSZ and PW-II

I worked as MI/BC, Shah. South Zone during the relevant period. Shri Rattan Lal was working as a Field Worker during my tenure in Shahdara South Zone. I was working as EC/BC. On the basis of the record I depose that Shri Rattan Lal, FW has been absenting himself since October, 2014. I have not seen him or heard about him after October, 2014. Since, I prepared the salary bills of the staff I can say that he has been absenting himself. Call letters were sent to him but he did not respond.

Cross examination by CO the 'Nil' (being proceeded against ex-part)

Statement of Shri Suresh s/o Late Raghubir Singh, then SMI, SSZ and PW-III

I worked as SMI, Shah. South Zone during the relevant period. Shri Rattan Lal was working as a Field Worker during my tenure in Shahdara South Zone. I was working as SMI/SSZ. On the basis of the record I depose that Shri Rattan Lal, FW has been absenting himself since October, 2014. I have not seen him or heard about him after October, 2014. Since, I was the supervisory of Shri Vinod Kumar, MI who received the intimation from the house of CO about his disappearance and that he was missing. I forwarded the report to DHO.

Cross examination by CO the 'Nil' (being proceeded against ex-part)

Statement of Shri Vinod Kumar, s/o Chander Kumar, then AMI, SSZ and PW-IV

I worked as AMI, Shah. South Zone during the relevant period. Shri Rattan Lal was working as a Field Worker during my tenure in Shahdara South Zone. I was working as AMI/SSZ. On the basis of the record I depose that Shri Rattan Lal, FW has been absenting himself since October, 2014. I have not seen him or heard about him after October, 2014. Since, I was the immediate supervisor of CO and had report to DHO about his unauthorized absence. I identified my signature at 'V' at Ex. S-2.

Cross examination by CO the 'Nil' (being proceeded against ex-part)

4. FINDINGS :- The undersigned in the capacity of Inquiry Officer-IV gone through the statement of charges, statement of allegations against the COs, statement of Prosecution Witness and exhibits/documents available in the file. The findings/observations in this case are as under :-

- (a) As is evident from the record, the CO was working as Field Worker, Public Health Department and started remaining unauthorisedly absent w.e.f. 10.10.2014.
- (b) The department issued call letters dated 20.1.2015 & 7.3.2015 (Ex. S-2) to him.

[Handwritten signature]
10/10/14

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- (c) As per record available in the file it is seen that the charge sheet could not be served upon the CO and a public notice was issued in the newspaper notifying that the CO was absenting himself and the charge sheet against him will be presumed to have been served upon him in case he does respond to it.
- (d) In spite of call letters and public notices in newspapers, the CO did not appear before me and the undersigned had left no option to proceed the case against him ex parte.
- (e) PW-1 Dr. Ajay Handa stated that he was working as DHO, Shah North Zone at relevant time. He proved his signature on Ex. S-1. According to his deposition, the CO had been running absent w.e.f. 10.10.2014 and till date his whereabouts are not found.
- (f) PW-2 Shri Subhash Chand, MI stated that he was working as MI/BC has also corroborated the fact that the CO has been absent himself since October, 2014.
- (g) PW-3 Shri Suresh, SMI has also supported the prosecution case by deposing that the CO has been absenting himself since October, 2014.
- (h) PW-4 Shri Vinod Kumar, AMI referred to exhibited record and stated that the CO has been absenting himself since October 2014.
- (i) The fact that he was not traceable was also reported to the police by the members of his family but it is evident that no trace of the where about of the CO have been found by either the police or by the department.
- (j) A period of about 05 years has already lapsed and the call letters sent by the department have remained un-responded. According to the witnesses, they have not seen the CO or heard about him during the last 05 years. That being so it is established on the part of the CO that he has been unauthorisedly absenting himself from duty without prior intimation or permission from the Competent Authority. Since the CO has been proceeded ex parte, there was no question of his having produced any evidence in defence, the opportunity of self-defence has thus remained unavailed by the CO.

5. On an overall consideration of the facts on record and deposition of witnesses, I, in the capacity of IO-IV reached the conclusion that charges framed against Shri Rattan Lal S/o Shri Harlal, F.W. of Anti Malaria Operation (Public Health Department, Shah (South) ZONE, EDMC with reference to Charge Sheet No. 03/34/2016/EDMC/सी.पी.सी.विजी/2016/309 dated 23.1.2017 are **"SUBSTANTIATED"**.

Ramesh Kumar

Ramesh Kumar
IO-IV

Additional Commissioner (Health)
& Disciplinary Authority

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24/9/19
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D.M.C.

Date of receipt
2606
20/8/19
19/9/19

RF
290/cro/edmc
17/9/19

For: *[Signature]* on CO M.
3/9/19 C/o
Inq. report be deemed
Manjee kaly *[Signature]*
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