

LOKPAL OF INDIA
[Plot No. 6, Institutional Area, Phase-II, Vasant Kunj]
New Delhi - 110070

Complaint No. : 4496/2022.

Date : 5th April, 2023.

Coram : **Justice Abhilasha Kumari**
Judicial Member

Smt. Archana Ramasundaram
Member

Shri Mahender Singh
Member

ORDER

This complaint is directed against the Senior Superintendent of Post Offices, Howrah Division, who has since retired and will, hereinafter, be referred to as the public servant.

2. The complainant has alleged that the public servant did not initiate legal action against the then Sub-Post Master (SPM), Udyanarayanpur, Sub-Post Office, in connection with misappropriation of government money through fraudulent withdrawal, retention of speed-post articles and Registered Bags overnight. It is alleged that even though the misappropriation was to the tune of Rs. 12(twelve) lakhs, the charge framed against the SPM was only for misappropriation of Rs. 3,32,141/- (rupees three lakh thirty two thousand one hundred forty one only).

3. The complaint was placed before the Full Bench of the Lokpal of India on 18th January, 2023. After considering the contents of the complaint, the Full Bench, vide order dated 18th January,



2022, referred the complaint to the Central Vigilance Commission (CVC) for obtaining a Status Report on, or before, 06.03.2023. Pursuant to the above order, the CVC has submitted a Status Report vide letter dated 01.03.2023.

4. We have perused the detailed Status Report submitted by the CVC.

5. It emerges from a perusal of the report that the amount of fraud committed by the SPM was Rs. 12,57,632 and he had voluntarily credited Rs. 12,57,632/- on the date of detection of the fraud, i.e. 26.08.2019. An FIR was lodged by the Inspector, Posts, Amta Sub-Division in this regard on 14.12.2020, under Section 409 of the Indian Penal Code (IPC). The concerned SPM was proceeded against under Rule 14 of the CCS(CCA) Rules, 1965, vide Memorandum dated 14.02.2020, on two provable articles of charges. He was awarded the punishment of "Compulsory Retirement" vide Howrah Division Office Memorandum dated 09.11.2021. The SPM has filed OA No. 1606/2022 against this punishment, before the Hon'ble Central Administrative Tribunal, Kolkata Branch.

6. On the administrative side, the SPM filed an appeal dated 10.02.2022, before the Appellate Authority, which was disposed of on 18.04.2022, confirming the punishment of "Compulsory Retirement".

7. In conclusion, it is observed in the Status Report that departmental action was taken against the official at fault in the fraud case. Further, no additional adverse material has emerged against the public servant named in the complaint, in support of



the allegation regarding non-initiation of action and suppression and dilution of the offence committed by the SPM.

8. Having perused the material on record, we are of the considered view that, as disciplinary action has already been taken against the official who committed fraud and there is no material on record in support of the allegations made against the public servant, no further action is warranted by the Lokpal of India.

9. For the above reasons, the complaint is closed and stands disposed of.

kvj

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