

By R.P.A.D.

GOVERNMENT OF MAHARASHTRA

मुख्य एवं संरक्षक (प्र) पुणे याचे कार्यालय
आवक क्र.: 2328
दिनांक 11 FEB 2010
संरक्षक विभाग जे.ए.
सूचना (प्र) अधिका

AFO-1306/1863/CR-256/F 7,
Revenue & Forests Department,
Mantralaya, Mumbai-400 032.
Date: 21/01/2010.

MEMORANDUM

Government of Maharashtra on the basis of material evidence available with it proposes to hold Departmental Enquiry against Shri Navin Singh IFS, the then Deputy Conservator of Forests, Aurangabad under Rule 10 of the All India Services (Discipline and Appeal) Rules, 1969. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in "statement of Articles of Charge" as Annexure-I, while statement of the imputations of misconduct or misbehavior in support of each Articles of Charge is set out in Annexure-II. List of documents by which the Articles of Charge are proposed to be sustained is enclosed as Annexure-III, and List of witnesses by whom the Articles of Charge are proposed to be sustained is enclosed as Annexure-IV.

2. Shri Navin Singh, IFS is directed to submit within 30 days of the receipt of this Memorandum a written statement of his defence and also to state whether he desires to be heard in person.

3. He is informed that an inquiry will be held only in respect of Articles of Charge, which are not admitted. He should, therefore, specifically admit or deny each Article of Charge.


4. Shri Navin Singh, IFS is further informed that if he does not submit his written statement of defence on or before the date specified in Para-2 above or does not appear in person before the Inquiry Authority or otherwise fails or refuses to comply with the provisions of Rule 8 of the AIS (D&A) Rules, 1969 or the orders/directions issued in pursuance of the said Rule, the Inquiry Authority may hold inquiry against him ex-parte.

5. Attention of Shri Navin Singh, IFS is invited to Rule 18 of the AIS (Conduct) Rule, 1968, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior

authority to further his interest in respect of matter pertaining to his service under the Government. If any, representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Shri Navin Singh, IFS is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 18 of the All India Services (Conduct) Rules, 1968.

6. The Receipt of this Memorandum may be acknowledged.

By order and in the name of the Governor of Maharashtra.


(Pradeep Kumar)
Joint Secretary to Government.

Encl : Annexure I to IV
and copies of the papers
mentioned in Annexure III.

✓ To
Shri Navin Singh, IFS (Under Suspension)
C/o Chief Conservator of Forests(Territorial),
Pune.

Copy forwarded for information to :

- 1) The Secretary to Government of India, Ministry of Environment & Forests, Paryavaran Bhavan, C.G.O. Complex, New Delhi.
- 2) The Principal Chief Conservator of Forests, (HoFF) Maharashtra State, Nagpur.
- 3) Chief Conservator of Forests(Territorial),Pune.
- 4) The Assistant Director, I.F.S, Account, Revenue & Forests Department.
- 5) The Reference File of Shri Navin Singh, I.F.S.
- 6) The Select File F-7, Revenue & Forests Department, Mantralaya.

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ANNEXURE I

Statement of imputations of misconduct or misbehavior in support of charge against Shri. Navin Singh, I.F.S., the then Deputy Conservator of Forests, Aurangabad

Article I :

Shri. Navin Singh while functioning as Deputy Conservator of Forests, Aurangabad during the period from 27.3.1996 to 23.3.1999 misused his delegated authority as Drawing Officer or DDO for personal monetary gains and also avoided to repay the government advance with an intention to misappropriate the government money. Therefore he is guilty of committing financial irregularity. Thus he has violated Rule 136 of Bombay Financial Rule 1959 and rule 3 of All India Service (Conduct) Rules, 1968.

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ANNEXURE II

Statement of imputations of misconduct or misbehavior in support of charge against Shri. Navin Singh, I.F.S., the then Deputy Conservator of Forests, Aurangabad

Article I :

Shri. Singh while functioning as Dy. Conservator of Forests, Aurangabad during the period from 27.3.1996 to 23.3.1999 misused his delegated authority as Drawing Officer for personal monetary gains and also avoided to repay the government advance with an intention to misappropriate the government money therefore he is guilty of committing financial irregularity. Thus he has violated Rule 136 of Bombay Financial Rule 1959 and rule 3 of All India Service (Conduct) Rules, 1968.

1) An advance of Rs.1,25,000/- (Rs. One lakh twenty five thousands only) has been sanctioned to Shri. Navin Singh, IFS for purchase of personal Motor Car vide R. & F.D. letter No. P-7610/Motor Car/98/B-1 dated 28 September 1998 (Exhibit 1) and another advance of Rs.45,000/- (Rs. Forty Five thousand only) for purpose of personal computer has been sanctioned to him vide R. & F.D. No. P-7610/Computer/98/B-1 dated 17/9/1998 (Exhibit 2). Principal Chief Conservator of Forests, Maharashtra State, Nagpur released grants for purchase of Car vide their letter No. Desk-2(1)/Budget/98-99/10/391 Year 1998-99 dated 19.11.98 (Exhibit 4) to his controlling officer i.e. Conservator of Forests, Aurangabad Circle, Aurangabad.

Shri. Navin Singh, Dy. Conservator of Forests, Aurangabad was authorised to draw money from the government treasury hence it was his personal responsibility to follow the financial rules and regulations. But Shri. Navin Singh, in violation of direction of Finance Deptt. And instruction of his superior officer, by misusing his authority and has drawn govt. amount of Rs.1,25,000/- by misusing his authority and has drawn govt. amount Rs.1,25,000/- vide cheque No. 414511 dated 12.11.1998 for

purchase of motor car (Exhibit 8) and Rs.45,000/- for the purchase of computer vide cheque No. 414408 dated 14.10.1998 (Exhibit 7). The said expenditure on account of advance is shown in the cashbook as voucher no.41 (Exhibit 5) and Vr. No. 54/10-98 (Exhibit 6). Therefore he has misused the delegated authority for personal gains.

2) As per conditions 7, 8 & 9 of the Finance Dept. GR No. Advance 1093/PK 14/93 Viniyam dated 1 April 1993 (Exhibit 9) the person receiving the car advance has to purchase the car within one month and submit the document to state government and subsequently after one month he ought to have started paying the loan instalment. Accordingly he ought to have started paying the advance after two months from the date of drawal of advance i.e. with effect from Jan. 1999. Similarly as per condition No. 7 Finance GR No. Advance 1096/PK 46/96 Viniyam dated 30/10/1996 (Exhibit 14) it was the responsibility of Shri. Navin Singh to submit the purchase document within one month from the date of withdrawal of the advance but Shri. Navin Singh failed to submit the purchase document within one month from the date of withdrawal of the advance. Shri. Navin Singh did not produce any document to show that he purchased the computer and hence he was liable to pay the amount with penal interest as per Rule 124 (B) of Bombay Treasury Rule 1959.

Shri. Navin Singh being the drawing officer was also authorised to pass and pay his own pay bill so it was his personal responsibility to recover car advance from his salary bill of January, 1999 onwards and computer advance from the salary bill of November 1999 onwards but he deliberately with an intention to misappropriate the govt. money, did not start recovering the Govt. advance.

As per State Government order he was transferred to the post of Director MVSS Chandrapur and accordingly he joined on the said post on dated 14/06/1999. Deputy Conservator of Forests Aurangabad vide letter No. B/1/2/Estt/473/99/2000 dated 4/5/1999 sent his Last Pay Certificate (Exhibit 10) showing the car and computer advance as an outstanding amount. Shri. Navin Singh as Director MVSS Chandrapur as drawing

officer was also authorised to pass and pay his own pay bill so it was his personal responsibility to recover the car and computer advance from his salary. When PCCF vide letter No. Desk 9/IFS/Enquiry/PK 11 (01-02) 1545 dated 27/11/02 asked his explanation for the lapses (Exhibit 11) at least then he ought to have started recovery of advances but in place of repaying the car and computer advance he deliberately vide his letter No. Desk 3(1)/Estt/325/2002-03 dated 17/1/2003 (Exhibit 13) made a query seeking the direction on number of instalments and amount to be paid with the Principal Chief Conservator of Forests MS Nagpur. In fact he was aware about the condition No. 6 of Finance Deptt. G.R. No. Advance 1096/PK 14/93 Viniyam dated 1/04/1993 (Exhibit 11) that the car advance along with interest has to be recovered in 160 instalments. He was also knowing that the Finance Deptt. vide GR No. Advance Interest/PK 26/98 Viniyam dated 15 July 1998 (Exhibit 12) has also prescribed the rate of interest to be charged for car and computer advance taken during the 1.4.1998 to 31.3.1999. Even then Shri. Navin Singh with an intention to misappropriate the government money of Rs.1,70,000/- did not recover the Govt. advance from his salary bill and misused the delegated authority.

3. Principal Chief Conservator of Forests MS Nagpur vide letter Desk 9/IFS/Enquiry/PK 11(01-02) 301/03/04 dated 27th May 2003 asked Shri. Navin to submit his explanation on these financial irregularities. Though the said letter was received by him on dated 2/6/2003 (Exhibit 15) neither he cared to submit his reply on these irregularities nor any effort was made to repay the amount of advance to the Govt.

4) Therefore, Shri. Navin Singh, for misusing his delegated authority as Drawing Officer for pecuniary gains with intention to misappropriate the government money, is guilty of committing financial irregularity causing financial loss to State Government as per Rule 136 of Bombay Financial Rule 1959 for not repaying the Government money. He failed to maintain absolute integrity and devotion to duty therefore he is guilty of violating rule 3 of All India Service (Conduct) Rules, 1986.

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ANNEXURE III

List of documents by which the Articles of charge against Shri Navin Singh I.F.S. the then Deputy Conservator of Forests, Aurangabad are proposed to be sustained.

Exhibit No.	Letter No. and Date	Para No.	No. of Pages
1	R&FD letter Mp/-7610/Motor car/98/B-1 dated 28th September 1998	1	3
2	R & FD No. P 7610/Computer/98/B-1, dated 17/09/1998	1	8
3	PCCF letter No.Desk-2(1)/Budget/98-99/10/391/Year 98-99, dated 19/11/98	1	3
4	PCCF letter No.Desk-2(1)/Budget/98-99/363/Year 98-99, dated 12/11/98	1	4
5	Voucher No. 41/11-98	1	1
6	Voucher No. 54/10-98	1	1
7	Statement showing forest chequest issued in Oct.98 No.B/M.A./2343 dt. 07/11/98	1	2
8	Statement showing forest chequest issued in Nov.,98 No.B/M.A./2701/98-99. dt. 30/11/98	1	2
9	Finance Deptt GR No.Advance 1093/PK 14/93 Viniyam dated 1 April 1993	2	2
10	Deputy Conservator of Forests Aurangabad letter No. B/12/Estt/473/99-2000 dated 4/5/1999	2	2
11	PCCF office letter No.Desk 9/IFS/Enquiry/PK 11 (01-02)/1545 dated 27/11/02	2	2
12	Finance Deptt. GR No.Advance/Interest Rate/1098/PK26/Viniyam dated 15th July 1998	2	2
13	Desk 3(1)/Estt/325/2002-03 dated 17/1/2003	2	2
14	Finance Deptt. GR No.Advance 1096/Viniyam dated 30/10/1996	2	2
15	PCCF Nagpur letter Desk 9/IFS/Enquiry/PK11 (01-02) 301/03-04 dt. 27/05/2003	3	3

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ANNEXURE IV

LIST OF GOVERNMENT WITNESSES IN SUPPORT OF ARTICLES
AGAINST SHRI NAVIN SINGH I.F.S. THE THEN DEPUTY
CONSERVATOR OF FORESTS, AURANGABAD

The statement of allegation is based on documents hence there are no government witnesses.