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From :
Navin Singh IFS,
4, Allied heights, Salunke Vihar Road,
Pune-411048
(9420167110)

19-10-2010

To,
The Chief Secretary,
Government of Maharashtra,
Mantralaya, Mumbai -32

30/9/10
मौखिक निवेदन

मुख्य सचिव का कार्यालय
सामान्य प्रशासन विभाग

Through Proper channel

पत्राचार, मुद्रांक 4000

Sub: Grant of sanction under section 197 of CrPC to prosecute following officers for offences under section 166, 177, 182, 463, 469, 470 & 35 of Indian Penal code :

1. Mr Prem Kumar IAS the then Chief Secretary MS
2. Mr Navin Kumar IAS the then ACS (Services) GAD
3. Mr S.S. Hussain IAS the then Principal Secretary Forests,
4. Mr. Rajendra Mangarulkar IFS the then Joint Secretary Forests
5. Mr D.K. Shankaran IAS the then Chief Secretary MS
6. Mrs Leela Satyanarayan IAS the then Principal Secretary Forests
7. Mr O.P. Gahotra IAS the then ACS Finance
8. Mr S.S. Dod IAS the then ACS (Services) GAD
9. Mrs Chitkala Jutshi IAS the then ACS (Services) GAD
10. Mr Johny Joseph IAS the then Chief Secretary
11. Mr Satish Tripathi IAS the then ACS (Services) GAD
12. Mr J.P. Dange IAS the then ACS Forests

Sir,

1. I, Navin Singh is an officer of Indian Forest Service, 1983 batch of Maharashtra cadre. The Government of Maharashtra vide order no. AFO 1301/CR128/F-7 dated 13-1-2003 has placed me under suspension, under Rule 3(1) & 3(3) of All India Services (D&A) Rules 1969, framed under the provision of All India Services Act, 1951.
2. My suspension order was required to be reviewed and extended by the competent authority within 90 days of suspension order, if government wanted to further review and extend it as per the provisions of Rule 3(8) (a). The said Rule 3(8) provides and authorises the Competent authority to extend a suspension order for a further period of not more than 180 days provided it has been extended within initial 90 days of suspension.
3. Rule 3(8) also provides that if suspension order is not extended within said stipulated period then it becomes invalid. Hence can not be extended.

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जा-लोकसुखा, म. स. शाखा.

4. As per Rules of business of State Government, competent authority for All India Services officers (IAS, IPS & IFS) is Hon'ble Chief Minister of the State, who is a public servant within the meaning of Indian Penal Code.

5. The Rule 3 (1) and 3(8) of AIS (D&A) Rules, 1969 reads as follows :

"3. Suspension.- (1) If, having regard to the circumstances in any case and, where articles of charge have been drawn up, the nature of the charges, the Government of a State or the Central Government, as the case may be, is satisfied that it is necessary or desirable to place under suspension a member of the Service, against whom disciplinary proceedings are contemplated or are pending, that Government may-

3(1)(a) if the member of the Service is serving under that Government, pass an order placing him under suspension, or

3(1)(b) if the member of the Service is serving under another Government request that Government to place him under suspension, pending the conclusion of the disciplinary proceedings and the passing of the final order in the case.

3 (8)(a) An order of suspension made under this rule which has not been extended shall be valid for a period not exceeding ninety days and an order of suspension which has been extended shall remain valid for a further period not exceeding one hundred eighty days, at a time, unless revoked earlier.

3(8)(b) An order of suspension made or deemed to have been made or continued, shall be reviewed by the competent authority on the recommendations of the concerned Review Committee.

3(8)(c) The composition and functions of the Review Committees and the procedure to be followed by them shall be as specified in the Schedule annexed to these rules.

3(8)(d) The period of suspension under sub rule (1) may, on the recommendations of the concerned Review Committee, be extended for a further period not exceeding one hundred and eighty days at a time:

Provided that where no order has been assed under this clause, the order of suspension shall stand revoked with effect from the date of expiry of the order being reviewed.

6. After placing me under suspension on 13-1-2003, my suspension was extended for the first time by order dated 24-4-2003, i.e. after 101 days from suspension date. As per rule 3(8)(a), the first extension was statutorily required to be done before 13-4-2003 (within 90 days of suspension order). Because no extension of suspension was done in 90 days of suspension, as required by law, my suspension order stood

revoked on 13th April 2003. But instead of issuing my reinstatement order after deemed-revocation, Government on the contrary issued an extension order after 101 days. This act of administration was not only unreasonable, unjust, oppressive but also invalid, illegal, and without authority of law.

7. Further, the government has extended my invalid/illegal suspension by order dated 8-10-2003 for 180 days. When the rules are so clear that this extension can not be granted until and unless the original suspension order has been extended within 90 days of issuance, still by abusing the power, I am being kept under suspension without any authority, legality and validity. (Government order no. AFO 1301/CR 128 (Part III-B)/F-7, dated 18-6-2008 is annexed herewith as annexure A.)

Forgery with documents:

8. After my suspension, Government of Maharashtra was issuing the extension orders of suspension by 180 days, by issuing government orders. When I got proceedings of Review committee by using Right to Information Act, I was shocked to see
- that to keep me under continuous suspension, the above named Government officers had not only reviewed my suspension orders without authority (as there is no authority to review of suspension under AIS (D&A) Rules, if suspension order is not extended either in initial 90 days of suspension or if it has been extended within 90 days then within 180 days of review),
 - but issued the government orders (competent authority) of extension of my suspension by 180 days without government sanctions. Thus, by issuing forged documents (GRs) they kept me under suspension since 13th April 2003.
 - Also these officers in no review-committees proceedings have brought these provisions of Rules to the notice of the Government (Hon'ble Chief Minister and Hon'ble Minister) and by hiding these provisions of law from them, used his (Hon'ble C.M.) authority to harm me.

Following table would summarize the actual forgery and illegality committed by the said officers in reviews and illegal extensions of my suspension order. I am also attaching herewith minutes of the review committees and extension orders of suspension as Annexures.

Note : 1. Date of suspension is 13 Jan 2003

Date	Days to add	Maximum permissible period of suspension without extension	Meeting of Review Committee	Approval by Hon'ble CM (competent authority)	Date of extension order	Remarks
13-Jan-03 (Suspension order)	90	13-Apr-03	8-Apr-03		24-Apr-03	Suspension order became invalid & revoked on 13th April 2003 as per Rule
13-Apr-03	180	10-Oct-03	3-Oct-03		8-Oct-03	
10-Oct-03	180	7-Apr-04	23-Mar-04		2-Apr-04	
7-Apr-04	180	4-Oct-04	21-Sep-04		29-Sep-04	
4-Oct-04	180	2-Apr-05	29-Mar-05		29-Mar-05	
2-Apr-05	180	29-Sep-05	14-Sep-05	26-Oct-05	23-Sep-05	Forged order of competent authority. Order was issued on 23 rd sept where as actually it was approved by CM on 26 th Oct.
29-Sep-05	180	28-Mar-06	24-Mar-06	27-Mar-06	24-Mar-06	Forged order of competent authority. Order was issued on 24 th March where as actually it was approved by CM on 27 th March.
28-Mar-06	180	24-Sep-06	21-Sep-06	29-Sep-06	21-Sep-06	Forged order of competent authority. Order was issued on 21st sept where as actually it was approved by CM on 29 th Sept.
24-Sep-06	180	23-Mar-07	17-Mar-07	23-Mar-07	20-Mar-07	Forged order of competent authority. Order was issued on 20th March where as actually it was approved by CM on 23rd March.
23-Mar-07	180	19-Sep-07	17-Sep-07	5-Oct-07	17-Sep-07	Forged order of competent authority. Order was issued on 17th Sept where as actually it was approved by CM on 5 th Oct.
19-Sep-07	180	17-Mar-08	23-Apr-08		18-Jun-08	
17-Mar-08	180	13-Sep-08	21-Sep-08	1-Oct-08	4-Mar-09	
13-Sep-08	180	12-Mar-09	No meeting		No order	
12-Mar-09	180	8-Sep-09	No meeting		No order	

It can be seen that not only back-dated, unauthorized, purported to be sanctioned by competent authority orders were issued by these officers, but a very careful reading of the table shows that one of the meeting of illegal review committee was held on 21st September 08, it's minutes were approved by Hon'ble Chief Minister on 1st October 2008, but order of extension was issued on 4th March 09 by Mr Rajendra Mangarulkar. Because of this non-issuance of order, pay and accounts department had not issued my subsistence allowance letter for almost more than one year.

Prayer:

In light of above mentioned facts and attached documents, which are mentioned below , it requested to give me :

1. Permission to prosecute the still serving officers, named in the above-mentioned subject.
2. Provide me addresses of retired officers as per Government records, which are named in above-mentioned subject.

With warm regards,

Navin
(Navin Singh)

Annexures:

1. Minutes of Review Committees dated 14-9-05, 24-3-06, 21-9-06, 17-3-07, 17-6-07, 23-4-08, 21-9-08
2. Government Resolutions dated 23-9-05 , 24-3-06, 21-9-06, 20-3-07, 17-9-07, 18-6-08, 4-3-09
3. Order of suspension dated 13-1-2003
4. Order of government dated 24-4-2003

Copy submitted to HOFF, Maharashtra State, Nagpur

Copy submitted to Principal Secretary to Hon'ble Chief Minister, Mumbai

Navin
(Navin Singh)

1206/2012
मुख्य सचिव, महाराष्ट्र
नागपुर, मुंबई ४०० ०४४