

normal, undisturbed and peaceful. He unequivocally stated during the cross examination that he did not see the charged officer Shri Govind Ram visiting the house of Smti MV Jayalakshmi between 01.00 pm and 02.45 pm on 07.10.2008. The deposition of the State Witness -3 Shri Mohd Salim is very important from two angles i.e (i) he is the employee of the complainant Smti MV Jayalakshmi, W/o Shri Vasantha Kumar, R/o Minnie Bay and (ii) that he was physically present at a distance of few feet in front of the residential quarter of the complainant Smti MV Jayalakshmi on 07-10-2008 between the hours of 01.00 PM and 02.45 PM when the so called crime is alleged to have been committed by me (the Charged Officer).

As already stated above the State Witness No. 1 as per Annexure-IV namely Smti MV Jayalakshmi, W/o Shri R.Vasantha Kumar, who is the de-facto complainant and therefore most vital of all the witnesses, in spite of ample opportunity having been provided to her remained away from being examined and cross examined before the Inquiry Officer. This makes it amply clear that she has in fact no case against me i.e the Charged Officer Shri Govind Ram and while drawing your kind attention to my Defence Document No. 3 i.e my letter dated 19th May, 2008 addressed to the Chief Secretary, Andaman and Nicobar Admn. I reiterate that the said complainant Smti MV Jayalakshmi implicated me under the influence of some anti social and influential element prejudiced and working against me.

It is a well settled fact that the charge has to be proved against the Charged Officer and it is not for the Charged Officer to absolve himself from the charge. Yet, I availed the opportunity of examining two witnesses namely Shri Mohammed Zakir, Driver, Directorate of Tribal Welfare, A&N Admn and Shri Kishen Singh, Hindi Translator in the O/o the CE & Administrator, ALHW, Port Blair not only in my defence but to bring about the truth of that fateful day. The former was the Driver of my official vehicle and the latter was the person whom I visited at 02.00 pm on 07.10.2008 and with whom I remained at his place at school line till the police picked me up at 02.45 pm on the said date.

It can be seen from the statement of State Witness Shri Mohammed Salim that I did not visit the house of the complainant Smti MV Jayalakshmi at Minnie Bay between 01.00 pm and 02.45 pm on 07.10.2008. This fact is corroborated by the statement of Defence Witness Shri Mohammed Zakir, Driver of the vehicle bearing No. AN 01 C-0425, in which I was returning from my official tour to Tirur & Herbertabad that we did not go to Minnie Bay and this fact is further supported by the extract of the said vehicle's log book which the Driver submitted on the demand of the Presenting Officer during his cross examination. The other Defence Witness Shri Kishen Singh also stated that on 07-10-2008 I was with him