

Central Administrative Tribunal, Principal Bench

Original Application No.1585 of 1998

New Delhi, this the 1st day of June, 2000

Hon'ble Mr. S. R. Adige, Vice Chairman(A)
Hon'ble Mr. Kuldip Singh, Member (J)

Shri Harish Chandra Yati, SI No. D-1820
S/o Shri S.B. Yati
R/o C-13, PS Pahar Ganj,
New Delhi.

...Applicant

Applicant in person.

Versus

1. Union of India through
Secretary,
Ministry of Home Affairs, North Block,
Central Secretariat,
New Delhi-110 001.
 2. Commissioner of Police,
Police Headquarters,
MSO Building,
I.P. Estate,
New Delhi.
 3. Shri Y.S. Dadwal
Joint Commissioner of Police,
Police Headquarters,
MSO Building,
I.P. Estate,
New Delhi.
 4. Shri S.B.K. Singh
Dy. Commissioner of Police,
North East District,
Seclampur, Delhi.
 5. Shri Virender Singh
Additional Dy. Commissioner of Police,
North East District,
Delhi.
- Respondents

(By Advocate - Shri R.K. Singh, proxy for Shri A.K. Chopra)

O R D E R(ORAL)

By Hon'ble Mr.S.R.Adige, Vice Chairman(A)

1. Applicant impugns Annexure A-1 order dated 11.6.98 informing him that his name has been brought on the list of persons of doubtful integrity on certain allegations and Annexure A-2 order dated 24.7.98 rejecting his representation.

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2. We have heard applicant, who argued his case in person and Shri R.K. Singh, proxy counsel for Shri A.K. Chopra.

3. Our attention has been invited to respondents' standing order No.265 dated 19.4.96 (a copy of which is on record), on the subject of preparation, maintenance, review and custody of lists of public servants of doubtful integrity.

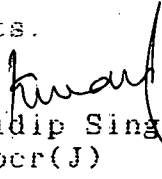
4. Para 6 of the aforesaid circular lays out the categories under which names of officers are to be brought on secret list of the persons of doubtful integrity. It is clear that applicant is not covered by any of the sub-paras to para 6 of the aforesaid circular.

5. We are informed that a departmental enquiry was instituted against the applicant for the same reason as contained in the impugned order dated 11.6.98 inasmuch as it was alleged against him that he did not adhere to the legal procedure while conducting a raid under NDPS Act and did not bring the accused to the Police Station and detained, and were let off with mala fide intention. In that disciplinary enquiry, the disciplinary authority had imposed a censure upon the applicant but even that censure was subsequently set aside by the appellate authority in his order dated 21.2.2000, a copy of which is taken on record.

6. Under the circumstances, the O.A. succeeds

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and is allowed; The impugned orders are quashed and set aside and it will be deemed that the applicant's name was never brought on the list of persons of doubtful integrity in respect of conduct of the raid under NDPS Act. No costs.


(Kuldip Singh)
Member(J)


(S.R. Adige)
Vice Chairman(A)

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