

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.1569/1996

New Delhi this the 17th February, 2000.

(8)

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SMT. SHANTA SHAstry, MEMBER (A)

T. R. Verma,
D.F.O. (Armour),
under Assistant Commandant,
CSD&W, Sarsawa,
Distt. Saharanpur (UP).

... Applicant

(By Ms. Meenu Mainee, Advocate)

vs.

1. Union of India through
Director General of Security,
Office of Director, SSB,
East Block No.V, R.K.Puram,
New Delhi-110066.

2. Deputy Inspector General (EB),
Office of Director, SSB,
East Block No.V, R.K.Puram,
New Delhi-110066.

... Respondents

(By Shri N. S. Mehta, Advocate)

O R D E R (ORAL)

Smt. Shanta Shastry, AM :

The applicant was working as Deputy Field Officer (Armour) under Assistant Commandant, C.S.D. & W., Sarsawa, District Saharanpur. He was issued a chargesheet on 12.10.1993 for not taking over charge of arms/cleaning material and expendable stores as per the orders of higher authorities. A regular enquiry was conducted and the applicant was punished with stoppage of one increment for a period of two years with cumulative effect vide orders dated 3.4.1995 of the disciplinary authority. The applicant filed an appeal on 29.4.1995 and the appellate order was passed on 4.8.1995 rejecting the same.

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2. The applicant, aggrieved by the impugned orders dated 3.4.1995 and 4.8.1995, has approached this Tribunal to set aside the impugned orders.

3. It is the contention of the applicant that the appellate authority's order does not deal with the various points raised by the applicant in the appeal.

4. We have gone through the enquiry officer's report as well as the orders of the disciplinary authority. We find that the applicant was asked to take over charge of the arms and accessories and other stores at Sarsawa by an order dated 16.7.1992. The applicant refused to take charge of the same on various grounds and did not take charge till 30.7.1993. The applicant refused to take charge on the ground that the said post was lower in rank than the one he was holding, and also that it was not the job of the D.F.O. (Armour) to look after the stores. He also wanted 100 percent checking of the stores. Whatever be the reasons, he disobeyed the orders of the higher authorities and delayed taking over the charge by more than one year. The enquiry officer rightly found the applicant guilty and the appellate authority also rightly rejected the appeal against the order of the disciplinary authority. We note that the enquiry officer has conducted the enquiry in great detail and has taken into account each and every objection of the applicant and arrived at the conclusion that the applicant had wilfully disobeyed the orders of higher authorities. The appellate authority's order is equally well-reasoned and has taken into account all the points and objections raised by the applicant. We do not find any infirmity either in the appellate order or in the enquiry officer's report.

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5. In the facts and circumstances of the case, according to us, the O.A. is devoid of merit and the same is dismissed. We do not order any costs.

Ashok Agarwal
(Ashok Agarwal)
Chairman

Shanta Shastri
(Shanta Shastri)
Member (A)

/as/