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Central Administrative Tribunal  
Principal Bench

O.A. No. 973 of 1996

New Delhi, dated this the 17th February, 2000

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

Shri Rachhpal Singh,  
Sub-Inspector of Police, No. D-1952,  
S/o Shri Sampuran Singh,  
R/o A-3, Block, Paschim Vihar,  
New Delhi-110063. ... Applicant

(None appeared)

Versus

1. Union of India through  
the Secretary,  
Ministry of Home Affairs,  
North Block, New Delhi.
2. NCT of Delhi through  
the Chief Secretary,  
Delhi.
3. Dy. Commissioner of Police,  
North-West District,  
Ashok Vihar,  
Delhi.
4. Asst. Commissioner of Police,  
North-East District (Narela),  
P.S. Alipur,  
Delhi. .. Respondents  
(By Advocate: Mrs. Sumedha Sharma)

ORDER (Oral)

HON'BLE MR. S.R. ADIGE

Applicant impugns the Respondents' order dated 30.5.94 (Annexure A) whereby certain adverse remarks have been recorded on his work and performance for the period from 12.10.93 to 31.3.94.

2. We note that applicant thereafter represented against those remarks and by Respondents' subsequent order dated 10.11.94 (Annexure B) some of the remarks have been expunged, but the remarks in

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Col. No. 16 & 19 i.e. "unconcerned, casual attitude towards job. Habitual absentee. Poor reputation and below average" were not expunged by respondents.

3. None appeared for applicant even on second call when the case was called out. This case was listed at Sl. No.6 of the regular hearing list and has been on Board since 10.1.2000. Mrs. Sumedha Sharma appeared for respondents and has been heard.

4. The main ground taken by applicant are that there were no materials with the Respondents to record the aforesaid remarks which were finally retained. It is contended that applicant has been a hard working and sincere officer. He further admits that a warning was issued to him in regard to his frequent absences from duty.

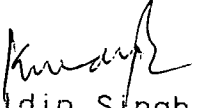
5. Ms. Sharma has invited our attention to the Respondents' reply, wherein details of applicant's unauthorised absences from duty have been listed, and other infirmities noticed in his work and conduct which have been highlighted which led Respondents to take action to retain some of the adverse remarks as per letter dated 10.11.94.

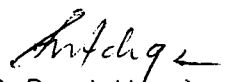
6. As there are materials on record to justify the remarks which have finally been retained and applicant has not filed any rejoinder rebutting

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the same it cannot be said that the aforesaid adverse remarks which have been retained are in any way illegal or arbitrary.

7. The O.A. fails and is dismissed. No costs.

  
(Kuldeep Singh)  
Member (J)

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

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