CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.1086/97

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Smt. Shanta Shastry, Member(A)

New Delhi, this the 3rd day of July, 2000

Sri Krishan Pal Singh
s/o Sri Kumar Pal Singh
r/o Qr. No.S.T.T.-2
Type-II, Old Block
C.T.O.Compound
Agra - 282 001. ... Applicant

(None)

Vs.

1. Union of India through
the Chairman
Telecom. Commission
Sanchar Bhawan
20, Ashoka Road
New Delhi.

2. Chief General Manager
Telecom U.P.Circle
West Dehradun
Dehradun (UP).

3. General Manager
Telecom. C.T.O.Compound
Agra-1.

4. Sub Divisional Officer
Telephone IIIrd, Sanjay Place
Agra.

5. Divisional Engineer (Phones)
Maintenance-II, Sanjay Place
Agra. ... Respondents

(By Shri V.K.Rao, Advocate)

O R D E R (Oral)

By Reddy. J.

The applicant, who was working as Telephone Inspector under SDO P-III, Sanjay Place, Agra, was issued a charge sheet under Rule 16 of the CCS (CCA) Rules, 1965 by memo dated 10.5.1996. It was alleged therein that he opened new telephone connection in the name of one Shri Jagdish Prasad which does not fall under the area of SDO P-III, Sanjay Place, Agra and

without maintaining seniority in the area of SDO P-II. The applicant denied the allegations but the disciplinary authority without accepting the explanation made by the applicant, found that the charge levelled against the applicant was proved. He therefore imposed the penalty of withholding of one increment for the period of three years without cumulative effect, by the impugned order dated 7.6.1996. This order was confirmed by the appellate authority by order dated 22.10.1996. These two orders are under challenge in this OA.

2. None appears for the applicant either in person or through his counsel, nor any representation is also made on his behalf. Heard the counsel for the respondents. Since the matter is of 1997, we dispose of the matter on merits on the available pleadings after considering the grounds raised by the applicant in the OA and the contentions of the learned counsel for the respondents.

3. The charge against the applicant, comprises of two articles. (i) That the applicant had no authority to open the telephone connection in SDO P-II as he was working under SDO P-III and (ii) seniority was also not maintained in giving the connection to Shri Jagdish Prasad.

4. It is seen from the impugned order that the applicant has given telephone connection to Mr. Jagdish Prasad who comes under the jurisdiction of the SDO P-II, Tax Bhawan, Agra. The applicant was working as Telephone Inspector under SDO P-III, Sanjay Place,

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Agra and even violating the seniority list of A/Notes for NTC to be opened in the area of SDO P-II, Tax Bhawan, Agra. The explanation made by the applicant was not accepted. The disciplinary authority has given elaborate reasons for his conclusion that the charge was proved. This order has been challenged in the appeal and appellate authority in its order also has given reasons in detail in rejecting the appeal. The penalty also appears to be reasonable.

5. In the circumstances, we do not find any merit in the OA. The OA is dismissed. No costs.

(SMT. SHANTA SHASTRY)
MEMBER(A)

(V.RAJAGOPALA REDDY)
VICE CHAIRMAN(J)

/RAO/