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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A.No.2044/94

New Delhi, this the 11th day of October, 1994.

HON'BLE MR.JUSTICE S.C.MATHUR, CHAIRMAN
HON'BLE MR.P.T.THIRUVENGADAM, MEMBER(A)

Gambhir Singh Rawat,
s/o Shri Mahipal Singh Rawat,
r/o A-33, Kailash Colony,
New Delhi.

..Applicant

(By Shri SC Saxena, Advocate)

Vs.

Union of India, through:

1. The Defence Secretary,
Ministry of Defence,
South Block, New Delhi.

2. Administrative Officer,
Dte. of Administration,
Naval Headquarters,
A Block D.HQ P.O.
New Delhi.

..Respondents.

ORDER(Oral)

HON'BLE MR.JUSTICE S.C.MATHUR, CHAIRMAN

This O.A. is directed against the order dated 12 September 1994 passed by Administrative Officer Naval H.Qrs. terminating the services of the applicant who was appointed as a casual labour on 10-7-85.

2. From the averments made in the application itself it appears that the Administration took steps to regularise services of the applicant. He was required to file proof of the educational qualifications possessed by him. The applicant first submitted a school leaving certificate from an institution situated at Balli in the State of Uttar Pradesh. From this certificate it appears that the applicant had passed the 5th class. Thereafter the applicant submitted another certificate, Annexure A.4. This certificate also shows that the applicant had passed 5th class. According to Annexure A.2 the applicant

passed the 5th class examination in the year 1975 while according to Annexure A.4 the applicant passed the said examination in the year 1977. There was obvious discrepancy which created doubt in the mind of the administrative authority regarding the authenticity of the certificates filed by the applicant. The applicant was issued notice requiring him to show cause in respect of filing false certificates. The applicant submitted his explanation which did not satisfy the concerned authority. The said authority accordingly passed the instant order of the termination of service on 12 September, 1994.

3. The learned counsel for the applicant has submitted that the only requirement for appointment to the post in question was that the candidate should be able to read and write. According to him there was no requirement of passing any particular examination. The learned counsel has not produced before us the relevant rule from which the submission made by him may be verified. From the averments made in the application itself it appears that the certificate of academic qualifications was called for in order to consider him for regularisation. From this it appears that a minimum academic qualification has been prescribed for the post in question. Be that as it may the applicant did commit a misconduct inasmuch as he submitted a false certificate about the authenticity of which the authority concerned was not satisfied. He accordingly passed the impugned order after giving opportunity of hearing to the applicant.

4. The applicant was neither a confirmed government servant nor he was a temporary government servant. He was only a casual labour. The principles of

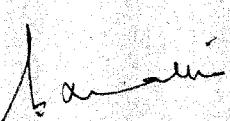
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natural justice have been complied with inasmuch as the order has been passed after giving an opportunity to show cause against the allegation made against him. In our opinion, no error has been committed by the concerned administrative authority in passing the impugned order.

5. In view of the above the application lacks merit and is hereby dismissed. There will be no order as to costs.

P. T. Thiruvenkadam

(P.T. THIRUVENGADAM)
Member(A)
11-10-94



(S.C. MATHUR)
Chairman.
11-10-94.

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