

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

Original Application No. 725 of 1994

Date of Order : This the 3rd day of August, 1999.

HON'BLE MR. JUSTICE D.N. BARUAH, VICE-CHAIRMAN.
HON'BLE SRI N. SAHU, MEMBER (A).

Shri Hoshier Singh
Dysp, CBI (Retd.)
Son of Shri Jageram
Resident of I-9, DDA Flat,
Naraina Vihar,
New Delhi-110028

....Applicant

By Advocate : None

-versus-

1. UNION OF INDIA
New Delhi-110001,
Through

Home Secretary,
Union of India,
North Block,
New Delhi-110001

2. The Secretary,
Deptt. of Personnel and Training,
Ministry of Personnel, Public
Grievances and Pension,
Union of India, North Block,
New Delhi 110001

3. Director, CBI,
Union of India,
CGO Complex, Block NO. 3,
Lodi Road, New Delhi-110003.

4. Pay and Accounts Officer, CBI,
AGCR Building,
New Delhi-110002.

5. Commissioner, CVC,
Bikaner House,
New Delhi-110011

6. Secretary, UPSC,
Dholpur House,
New Delhi-110011

..Respondents

Contd...

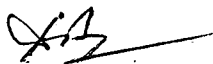
ORDER (ORAL)

(A)

Baruah J. (V.C.)

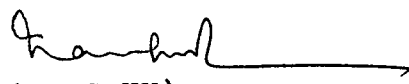
The applicant in this OA has challenged the order dated 4.8.1993 issued by the Deputy Secretary to the Government of India, Ministry of Personnel, Public Grievances and Pension, ordering 10% pension out for six months and prayed for regular pension/gratuity. He also challenges the order dated 22.10.93 issued by the AD(Estt.), CBI, New Delhi. The applicant prayed for a direction to the respondent to pay interest at the rate of 24% on pension withheld with effect from 1.11.93. The facts are:

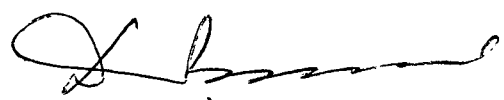
The applicant was a Deputy Superintendent of Police, CBI. He retired from service on superannuation with effect from 31.5.90 (AN). The Disciplinary Authority i.e. Director CBI issued a Memorandum of charges when he was in service. On his retirement the disciplinary proceeding continued under the provision of Rule 9 of CCS (Pension) Rules, 1972. There were three charges as per the memorandum against the applicant. IIIrd charge was dropped by the Enquiry Officer and the IInd Charge was also dropped by the Union Public Service Commission. The applicant was found guilt of Ist Charge. According to the applicant the enquiry was not conducted properly. According to him, no misconduct was proved against him as necessary under the provisions of Rule 9 of CCS (Pension) Rules, 1972. No pecuniary loss was



caused to the Government as necessary under the provision of Rule 9 of the CCS (Pension) Rules. The penalty imposed under Rule 14 of CCS (CCA) Rules, 1965 was violative of guidelines laid down under DG P&T letter dated 29.11.1972. Being aggrieved the applicant submitted a Review Application before the Reviewing Authority under Rule 29 of CCS (CCA) Rules, 1965. The said Review Application has not yet been disposed of. Hence the present application.

Today at the time of hearing neither side is present. However, the respondents have filed the counter. We have perused the application and the counter. On perusal we feel it will be expedient if the Reviewing Authority disposes of the Review Application. Accordingly we dispose of this application with direction to the Reviewing Authority to dispose of the Review Application as early as possible at any rate within a period of three months from the date of receipt of this order. No order as to costs.


(N. SAHU)
MEMBER (A)


(D.N. BARUAH)
VICE CHAIRMAN

trd