

(14)

Central Administrative Tribunal
Principal Bench: New Delhi

OA NO.192/94

New Delhi this the 19th Day of April, 1994.

Shri N.V. Krishnan, Vice-Chairman (A)
Shri B.S. Hegde, Member (J)

G.D. Dube, r/o 41-A,
LIG-DDA, Near Press
Colony, Mayapuri,
New Delhi.

...Applicant

(In person)

Versus

The Secretary, Department of
Agriculture, Ministry of
Agriculture, Krishi
Bhavan, New Delhi.

...Respondent

ORDER(Oral)

Mr. N.V. Krishnan:

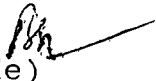
Heard. The applicant was employed in the Ministry of Agriculture as a Stenographer (Junior) in the Directorate of Extension. It would appear that disciplinary proceedings were held against him in respect of the alleged misconduct in having tampered with the high school certificate to secure entry in the Government service. A minor penalty of stoppage of his increments for a period of 5 years without cumulative effect was ordered by the disciplinary authority on 17.4.65. The matter was taken up in review by the competent authority and by the order dated 31.8.67 (page 14 of the paperbook) the penalty was enhanced to removal from service. Subsequently, the applicant was re-employed by the I.C.A.R. and he retired from that body on 30.11.81.

2. In so far as his pension in the I.C.A.R. is concerned, the service rendered by the applicant in the I.C.A.R. alone has been considered and he has been granted pension on that basis.


U

3. The applicant made a representation on 22.5.91 to the respondent, i.e., Secretary, Ministry of Agriculture for modification of the order enhancing his penalty to removal from service. That representation has been considered and has been rejected by the memorandum dated 8.7.93. The prayers made in the O.A. are for grant of pension to him reckoning the qualifying service as 31 years, i.e., after considering the service rendered in Government also by condoning the break in service between the service rendered under Government and the service under the I.C.A.R. and by mitigating the penalty of 'removal from service'.

4. We have considered the matter carefully. There is no justification to give any weightage to the previous service so long as the order of removal from service is absolute and final. A person who has been removed from service loses the benefit of the past service for all purposes and accordingly we do not find any merit in this O.A. It is dismissed. No costs.


(B.S. Hegde)
Member(J)

Sanju.


18.4.94
(N.V. Krishnan)
Vice-Chairman