

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00442/2020

Dated Monday the 26th day of October Two Thousand Twenty

CORAM : HON'BLE SHRI. S. N. TERDAL, Member (J)
HON'BLE SHRI. C. V. SANKAR, Member (A)

(Through Video Conferencing)

A.Maheswari, W/o. L. Antony Selvakumar,
EC No. 6490,
Scientific Assistant/D,
Zirconium Complex,
Pazhayakayal (Po), Tuticorin 628152.Applicant

By Advocate M/s. T. Lajapathyroy

Vs

1.The Deputy Chief Executive (Administration),
Nuclear Fuel Complex,
Department of Atomic Energy,
ECIL Post, Hyderabad 600062.

2.The Deputy General Manager,
Zirconium Complex, Nuclear Fuel Complex,
Department of Atomic Energy,
Pazhakayal 628152, Tuticorin District.

3.The Chief Executive & Disciplinary Authority,
Nuclear Fuel Complex,
Department of Atomic Energy,
ECIL Post, Hyderabad 500062.

4.The Administrative Officer (Vig.),
Nuclear Fuel Complex,
Department of Atomic Energy,
ECIL Post, Hyderabad 500062.

5.The Industrial Relations Officer (Vig.),

Nuclear Fuel Complex,
Department of Atomic Energy,
Vigilance Section,
ECIL Post, Hyderabad 500062.

6. The Administrative Officer (III),
Zirconium Complex,
Nuclear Fuel Complex,
Department of Atomic Energy,
Pazhayakayal 628152, Tuticorin District. Respondents

By Advocate Mr. Su. Srinivasan, SCGSC

ORAL ORDER**(Pronounced by Hon'ble Shri. S. N. Terdal, Member(J))**

This OA has been filed seeking the following relief:

"To call for the records connected to the impugned order in Ref : NFC/Vig/1/01/6490/2020/271 dated 03.06.2020 on the file of the Respondent No. 5 and quash the same as illegal and consequently, directing the Respondent No. 3 to drop the disciplinary proceedings initiated against the applicant in view of the Report of the District Vigilance Committee vide Roc. No. AW2/34652/2014 dated 09.05.2018 and the Report of the Inquiry Officer dated 27.03.2019 and pass any such further or other orders as this Hon'ble Tribunal may deem fit to the facts and circumstances of the case and thus render justice."

2. Heard Mr. T. Lajapathiroy, Counsel for the applicant and Mr. Su. Srinivasan, SCGSC for the respondents.
3. Perused the OA and all the documents. Counsel for the applicant strenuously submits that the impugned order dt. 30.06.2020 requires to be set aside and it should be stayed immediately. From the perusal of the impugned order, it is clear that this is not a final order. It is in the form of the show cause notice to give an opportunity to the applicant to make a representation and in the para 10 of the impugned order, it is very clearly stated that after considering the representation made by the applicant, final decision would be taken. The para 10 of the impugned order dt. 30.06.2020 is extracted below :-

"10. NOW, THEREFORE, in terms of Rule 15(2) of CCS (CCA) Rules 1965 and as per the directives of the Disciplinary Authority, Smt. Maheswari is hereby called upon to submit her representation if any, against the decision of the Disciplinary Authority disagreeing to the findings of the Inquiring Authority. She may submit the same in writing to the undersigned within 15 days of receipt of this Memorandum. The Disciplinary Authority will take a suitable decision after considering the representation of Smt. Maheswari.”.

4. In view of this order being in the nature of a show cause notice and not of

a final order, under section 20 of the Administrative Tribunals Act, this Tribunal has no jurisdiction to interfere at this stage.

5. Accordingly, this OA is dismissed as premature.

(C.V.Sankar)
Member(A)

(S.N.Terdal)
Member(J)

26.10.2020

SKSI