

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00854/2017

Wednesday, this the 3rd day of March, 2021

C O R A M :

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER

Dr.Arun Anirudhan.V, aged 38
S/o.Anirudhan.V., residing at C 22, Glen Valley
Mudavanmughal, Poojappura
Thiruvananthapuram -695 012

...Applicant

(By Advocate Mr.P.G.Jayasankar)

v e r s u s

1. Union of India represented by the Secretary
Ministry of Science and Technology
Technology Bhavan, New Mehrauli Road
New Delhi -110 016
2. The Secretary, Ministry of Science and Technology
Technology Bhavan, New Mehrauli Road
New Delhi – 110 016
3. Sree Chitra Tirunal Institute for Medical Sciences and Technology
Thiruvananthapuram – 695 011, represented by its Director
4. The Director, Sree Chitra Tirunal Institute for Medical Sciences and
Technology, Thiruvananthapuram – 695 011
5. Dr.Asha Kishore, Director, Sree Chitra Tirunal Institute for Medical
Sciences and Technology, Thiruvananthapuram – 695 011

6. Prof.V.Nagaraja, President, Jawaharlal Nehru Centre for Advanced Scientific Research, Jakkur, Bangalore – 560064
 7. Head, BMT Wing, Sree Chitra Tirunal Institute for Medical Sciences and Technology, Poojappura, Thiruvananthapuram – 695 012
 8. Senior Deputy Director (Administration), Sree Chitra Tirunal Institute for Medical Sciences and Technology, Thiruvananthapuram – 695 011
 9. V.K.Girijavallabhan, Senior Deputy Director (Administration) Sree Chitra Tirunal Institute for Medical Sciences and Technology, Thiruvananthapuram – 695 011
 10. Central Vigilance Commission, Satarkata Bhavan, A Block, GPO Complex, INA, New Delhi – 110 023
represented by its Secretary
-Respondents

(By Advocate : Mr.N.Anilkumar,SCGSC for R 1,2 & 10; Mr.V.Sajithkumar for R 3)

This application having been heard on 3.3.2021, this Tribunal, on the same day delivered the following :

ORDER (ORAL)

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

This is an Original Application filed seeking the following reliefs:

- " i. Call for the records leading to the issuance of Annexure A35 and quash the same;
- ii. Call for the records leading to the issuance of Annexure A57, and quash the same
- iii. Call for the records leading to the issuance of Annexure A 63 and quash the same
- iv. Direct the 1st, 2nd and 3rd respondents to take appropriate action on Annexure A13 representation relating

tot eh gievance pointd out by the applciant.

v. Direct the respondents 1,2 and 10 to inquire into the dilution of entry standars by the 3rd respondent.

vi. Direct the 4th respondent to forthwish place the result of the SSSC interview of the applicant before the Governing Body of the 3rd respondent institution and is further direction to the 3rd respondent to consider and take appropriate decision on the enxt date of meeting itself, untrammeeled by the findings in Annexure A 35 and A 57 oders;

vii. Direct the 10th respondent, to ensure that the applicatn is not victimised any further pursuant to the public interest disclosures made by him.

viii Grant such other and incidental reliefs as the Hon'ble Tribunal may deem just and necessary on the facts and circumstances of this case and

ix. allow the Original Application with costs to the applicant. "

2. When the matter came up for consideration, counsel for the applciant submits that Inquiry is going on as there is no stay of the Inquiry sought in the O.A on the Inquiry. He further submits that after the Inquiry, the Disciplinary Authority has again remitted the matter back for "Further Inquiry" and the matter is being adjourned without completion. He submits that the applicant will be satisfied if the Inquiry is properly completed within a specific time.

3. Counsel for the respondents has no objection in completing the Inquiry.

4. In view of the above submission, without going into the merits of this matter, **the Competent Authority is directed to complete the "Further Inquiry" within a period of 3 months from the date of receipt of a copy of this order.**
5. The Original Application is disposed of as above. No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER

(P.MADHAVAN)
JUDICIAL MEMBER

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List of Annexures

Annexure A1 - True copy of the certificate of PhI) issued by the National Institute of Technology. Kozhikode to the Petitioner.

Annexure A2 - True 'copy of the institute order bearing No: P & A.I/X/15/SCTIMST dated 27.02.2010 issued by the 3rd Respondent.

Annexure A3 - True copy of the notification bearing No. P & A.II/40/SSSC/SCTIMST/2015 dated 26.08.2015 issued by the 3rd Respondent.

Annexure A4 - True copy of the order bearing No. P & A.I/X/52/SCIIMST/2015 dated 18.09.15 issued by the 4th Respondent.

Annexure A5 - True copy of the extract of the minutes of the GB held on 01.07.2010 as obtained under the RTI Act by die .Petitioner.

Annexure A6 - True copy of the relevant extract of the report of the 7th Central pay Commission, November 2015.

Annexure A7 - True copy of the relevant extract of the advertisement No.VSSC-290 dated 8.8.2015

Annexure A8 - True copy of the email communication dated 29.9.2015 addressed to the Chief Vigilance Officer of the 1st respondent

Annexure A9 - True copy of the email communication dated 29.09.2015 sent by the Petitioner to the Vigilance Officer of the 3rd respondent

Annexure A10 - True copy of the appeal filed by the applicant before the GB on 07.09.2016, challenging the decision of the Senior Staff Selection Committee

Annexure A11 - — True copy of the email communication dated 21.09.2016 addressed by the petitioner to the 7th respondent

Annexure A12 - True copy of the email communication dated 21.09.2016 addressed by the petitioner to the 8th respondent

Annexure A13 - True copy of the complaint dated 22.09.2016 sent by the

applicant to the Employees Grievance Committee (BMT Wing).

Annexure A14 - True copy of the letter bearing No. P&A Division/GB-2016/Appeal-SSSC dated 29.1.1.2016 issued by the 8th Respondent to the Petitioner along with the extract of the minutes of the 97th GB.

Annexure A15 - True copy of the email communication dated 19.12.2016 along with a remainder email dated 31.12.2016 sent by the Petitioner.

Annexure A16 - True copy of the office memorandum dated 20.01.2017 issued by the Ministry of Finance.

Annexure A17 - True copy of the email communication. Dated 07.10.2016 addressed to the Chairperson of the grievance committee by the Petitioner.

Annexure A18 - True copy of a letter bearing No. P & A I/SCTIMST/2016 dated' 09.01.2017 issued by the 8th respondent to the Petitioner.

Annexure A19 - True copy of the letter dated 12.10.2016 issued by the 5th respondent to the 8th respondent

Annexure A20 - True copy of the reply obtained by the applicant under RTI Act, bearing No. PPIO/RTIA/916/SCTIMST/2017 dated 13.02.2017 along with the enclosure

Annexure A21 - True copy of the email dated 14.01.2017 addressed by the Petitioner to the 8th respondent

Annexure A22 - True copy of the letter bearing No.P&A.I/SCTIMST/2016 dated 18.01.2017 issued by the 8th respondent to the petitioner.

Annexure A23 - — True copy of the letter dated 18.01.2017 addressed by the 5th respondent to the 8th respondent .

Annexure A24 - True copy of the reply dated 04.02.2017 furnished by the Petitioner to the 8th respondent.

Annexurre A25 - True copy of the application filed 'by the applicant before the Public Information Officer of the Department of Science and Technology, New Delhi ..

Annexure A26 - True copy of the information obtained by the applicant under the RTI Act dated 7.6.2017

Annexure A27 - True copy of the memorandum bearing No.,P&A.I/PF-1904/SCTIMST/2017 dated 19.6.2017 issued by the 6th respondent to the petitioner along with Annexure 1 and II.

Annexure A28 - True copy of the letter bearing No.A1/1/4/SCT/2014 dated 10.03.2017 issued by the 2nd respondent

Annexure A29 - True copy of the email communications dated 30.06.2017 and 04.07.2017 between the Petitioner and the 6th respondent.

Annexure A30 - True copy of the letter bearing No. P&A.I/PF-1758/SCTIMST/2017 dated 06.07.2017 along with the enclosures issued 112-116 by the 8th Respondent to the Petitioner

Annexure A31 - True copy of the email dated 11.07.2017 issued by the petitioner to the 6th respondent

Annexure A32 - True copy of the emails and the reply, bearing No. P&A.I/Disciplinary Proceedings/SCTIMST/2017 dated 18.07.2017 by the petitioner.

Annexure A33 - True copy of the reply dated 02.08.2017 filed by the **Petitioner to the 6th Respondent**

Annexure A34 - True copy of the letter bearing No. P&A.I/PF-1094/SCTIMST/complaint/2017 dated 07.09.2017 issued by the 8th Respondent.

Annexure A35 - True copy of the order bearing no.P&A.I/PF-1094/SCTIMST/2017 dated 28.08.2017 issued by the 6th respondent

Annexure A 36 - True copy of the letter bearing No. P&A.I/SCTIMST/2014, dated 27.02.2017 issued by the 4th respondent to the Petitioner.

Annexure A37 - True copy of the letter dated 15.02.2017, issued by Mr.Ashok to the 4th respondent

Annexure A38 - True copy of the reply dated 09.03.2017 filed by the Petitioner to the 4th Respondent

Annexure A39 - True copy of the email communication dated 20.08.2016 between Mr. Ashok (SW2) and the Petitioner

Annexure A40 - True copy of the memorandum bearing No. P&A.I/PF- SCTIMST/2017 dated 10.04.2017 issued by the 5th Respondent to the Petitioner.

Annexure A41 - True copy of the reply dated 21.04.2017 filed by the Petitioner before the 4th respondent

Annexure A42 - True. copy of the order bearing No. P&A.I/PF- 1758/SCTIMST/2017 dated 29.04.2017 issued by the 4th Respondent.

Annexure A43 - True copy of the deposition of witness SW1, dated 2.6.2017 before the inuqiry officer

Annexure A44 - True copy of the deposition of witness SW2, dated 2.6.2017 before the Inquiry Officer

Annexure A45 - True copy of the deposition of witness SW3, dated 2.6.2017 before the inquiry officer

Annexure A46 - True copy of the letter dated 29.03.2017 issued by the 9th respondent to SW3

Annexure A47 - True copy of the reply given by SW3 to the 9th respondent

- Annexure A48 - True copy of the daily order sheet No.3 dated 2.6.2017
- Annexure A49 - True copy of the deposition dated 7.6.2017 by SW1
- Annexure A50 - True copy of the deposition dated 7.6.2017 by SW2
- Annexure A51 - True copy of the deposition dated 7.6.2017 by SW3
- Annexure A52 - True copy of the deposition of the Petitioner by the presenting officer
- Annexure A53 - True copy of the daily order sheet No.6 dated 7.6.2017
- Annexure A54 - True copy of the letter bearing No.P&A.II/431/FCP(SSSC)/SCTIMST/2017 dated 24.7.2017 issued by the 4th respondent
- Annexure A55 - True copy of the OM No.22011/4/91-Estt(A) dated 14.9.1992 issued by the DoPT
- Annexure A56 - True copy of the email communication dated 17.8.2017 and 18.8.2017 between the petitioner and the 7th respondent
- Annexure A57 - True copy of the order bearing No.P&A.I/PF-1758/SCTIMST/2017 dated 16.9.2017 issued by the 4th respondent

Annexure A58 - True copy of the relevant extracts of the service and Personnel Conduct Rules promulgated by the 3rd respondent

Annexure A59 - True copy of the inquiry report dated 11.8.2017 issued by Dr.Sundari Ravindran

Annexure A60 - True copy of the complaint dated 18.9.2016 filed by the petitioner before the Central Vigilance Commission

Annexure A61 - True copy of the relevant extracts of Report of the Comptroller and Auditor General of India on Administrative Functioning of Autonomous Bodies under Department of Science and Technology (Report 26 of 2016)

Annexure A62 - True copy of the email dated 23.11.2016 addressed by the Petitioner to the Comptroller and Auditor General of India.

Annexure A 63 - True copy of the letter bearing No.P&A/II/1758/1/BMT/SCTIMST/2017 dated 2.8.2017 issued by the 3rd respondent to the petitioner.

Annexure A64 - True copy of the office memorandum issued by the 10th respondent.

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