

Reserved

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.**

Original Application No. 206 of 2004

This the 21 day of January, 2006

HON'BLE MR. D.R. TIWARI, MEMBER-A
HON'BLE MR. K.B.S. RAJAN, MEMBER-J

Kamla Pat-i Dubey, S/o Sri M.B. Dubey, aged about 48 years, TGT (Maths), in KVS and presently dismissed from service illegally while working at Kendriya Vidyalaya, NHPC, Banbasa, P.O. Chandani, District Champawat (U.A) and at present residing in Qr. No. E/2/21, NHPC, Colony, Banbasa, P.O. Chandani, District Champawat (Uttranchal)

.... Applicant

By Advocate : Sri S. Narain.

Versus

1. Kendriya Vidyalaya Sangathan through the Commissioner, 18, Institutional Area, Saheed Jeet Singh Marg, New Delhi.
2. The Joint Commissioner (Administration), Kendriya Vidyalaya Sangathan (HQ), 18, Institutional Area, Saheed Jeet Singh Marg, New Delhi.
3. The Asstt. Commissioner, Kendriya Vidyalaya Sangathan (Regional Office), Hathibarkala, Salawala, Dehradun (Uttranchal).
4. The Principal, Kendriya Vidyalaya no.2, NHPC, Banbasa, P.O. Chandani, District Champawat (Uttranchal).
5. The Chairman, Kendriya Vidyalaya Sangathan, through the Secretary, Department of Education, In the Ministry of HRD, Shastri Bhawan, New Delhi.
6. Sri H.M. Cairae, Commissioner (Administration), Kendriya Vidyalaya Sangathan (HQ), 18, Institutional Area, Saheed Jeet Singh Marg, New Delhi.



7. Sri D.S. Bist, Joint Commissioner (Administration), Kendriya Vidyalaya Sangathan (HQ), 18, Institutional Area, Saheed Jeet Singh Marg, New Delhi.
8. Sri M.M. Swamy Asstt. Commissioner, Kendriya Vidyalaya Sangathan (Regional Office), Hathibarkala, Salawala, Dehradun (Uttarakhand).
9. Sri M.M. Lal, D/163, Ashok Vihar, Phase-I, Delhi.

.... Respondents

By Advocate : Sri N.P. Singh

O R D E R

By K.B.S. Rajan, Member-J

Certain pregnant questions of law, fundamental to the service jurisprudence, in particular to the faculty of Disciplinary Proceedings, which crop up frequently, arise in this case as well and the same are itemized hereunder:-

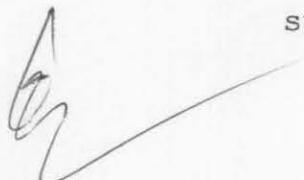
- (a) Whether CCS (CCA) Rules are applicable to the respondents organization?
- (b) If the statutory provisions so pressed into service are applicable, should it not mean that other provisions of Statute or provisions Constitution related to the statute are also applicable.
- (c) Whether the proceedings conducted become pre-mature on the ground that certain charges are linked with certain criminal proceedings and that the criminal proceedings have not been concluded so far



- (d) Under what circumstances can 'bias' be stated to have polluted the proceedings
- (e) When can a penalty imposed be called as "shockingly disproportionate".

2. A silhouette of the facts of the case is as hereunder:-

- (a) The applicant at the material point of time was functioning as TGT (Maths) in Kenriya Vidyalaya, NHPC, Banbasa.
- (b) The Kenriya Vidyalaya Sangathan is a Registered Society under the Societies Registration Act 21 of 1860 and fully funded by the Govt. of India. According to the respondents, all the service rules which are applicable to the Central Govt. employees are mutatis mutandis applicable to the employees of Kendriya Vidyalaya Sangathan.
- (c) The applicant was issued with a charge sheet under the CCS (CCA) Rules, 1965, in September, 2001 and the same was followed by an order of suspension also, and the applicant 16/2002 praying for as well as the order of suspension.
- (d) The charge memo contained four articles of charge and the same are as under :-
- (e) The applicant was also kept under suspension by order dated 13.6.2001.



(f) When the applicant approached the Tribunal against the aforesaid order of suspension and issue of charge sheet, initially the proceedings were stayed by order dated 27.5.2002 in O.A. no. 16 of 2002 (U). A contempt petition 132 of 2002 (U) was also filed by the applicant, which was decided on 14.1.2003. O.A. no. 16 of 2002 (U) was also decided vide order dated 14.1.2003 with the direction to the respondents to finalise the disciplinary proceedings within six months and the applicant was held as deemed to be reinstated w.e.f. 27.5.2002.

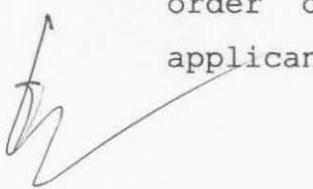
(g) In the wake of the aforesaid order of the Tribunal, the enquiry authority commenced the proceedings and fixed Dehradun as a venue for holding an enquiry. The applicant who was then only reinstated and not paid any pay and allowances for the past, was incapacitated in attending the enquiry at Dehradun and as such requested for change of venue vide representation dated 7.2.2003. Instead of fixing the venue at Banbasa, the Inquiry authority now choose Delhi as its venue to conduct the inquiry. This strategy of the inquiry authority manifested that the inquiry authority is having a bias attitude towards the applicant. The only course left to the applicant was to seek a change in the inquiry authority for which approached the



disciplinary authority. The request, however, was rejected.

(h) Meanwhile, the complaint made by the applicant against one Sri V.K. Jain, the then Chairman of Vidyalaya Management Committee, K.V. Banbasa. Progress further and finally a crime case was lodged and investigation started. It is this complaint that has been referred to in Article 1 of the chargesheet. As the respondents chose to proceed the inquiry ex-parte, the proceedings culminated into the inquiry report, which according to the applicant is not non-est in law and action on the part of the respondent is in completion violation of the provisions of article 311(2) of the Constitution of India.

(i) The applicant, was no doubt served with the copy of the inquiry report to enable him to submit the necessary representation if so desires. The applicant furnished his representation on 16.7.2003 wherein he has emphatically mentioned about the illegalities in holding the inquiry. However, the disciplinary authority without considering any of the sound grounds preferred by the applicant in his representation passed the impugned order dated 28.7.2003 dismissing the applicant from service.



(j) The applicant preferred an appeal on 27.9.2003 and was given an opportunity of personal hearing on 7.11.2003. However, this personal hearing could not be availed of for a few strong reasons including non grant of TA/DA. The appellate authority by order dated 22.12.2003 rejected the appeal and the reasons given thereof are as under:

- (i) *The allegation leveled against the chairman VMC by the appellant was inquired by Sri P. Singh Education and audit of the account of Kendriya Vidyalaya NHPC Banbasa was conducted by the Internal Audit team.*
- (ii) *Proceedings recorded in the ordersheets reveals that he did not attend. Not even a single proceedings, even though, all the proceedings were fixed and held as per the provisions contained in Rule 14 of CCS (CCA) Rules, 1965.*
- (iii) *Hon'ble Tribunal has directed him to co-operate with the disciplinary proceedings, but he did not comply with the directions of the Hon'ble Tribunal also.*
- (iv) *The Hon'ble Tribunal vide order dated 14.1.2003 in O.A. no. 16/2002 directed the respondent organization to proceed with the finalization of the disciplinary proceedings initiated against the applicant and finalize within a period of six months.*
- (v) *The inquiry officer has fixed the venue for hearing at Kendriya Vidyalaya HBK Dehradun, Nainital, Lawrence Road, and final hearing at Kendriya Vidyalaya NHPC Banbasa with prior notice and the order sheets where sent at his postal address as given by him.*

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(vi) He was provided opportunity for examination of original document, submission of defence statement, cross examination of state witness etc. but he abstained from the inquiry and continued to insist for the disposal of his appeal by the Minister of HRD himself, fixing venue for inquiry at Banbasa itself and fix the date of hearing of his sweet will etc.

(vii) His appeal for the change of inquiry officer and disciplinary authority was considered by the appellate authority and rejected vide order dated 24.3.2003.

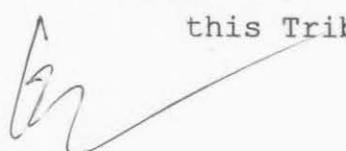
(viii) Sufficient opportunity was provided to him by the inquiry officer and disciplinary authority, in order to comply with the direction of the Hon'ble Tribunal vide order dated 14.1.2003, but he continued to dis-associate with the disciplinary proceedings and thus the proceedings was held ex-parte.

(ix) All the four article of charges framed against Sri K.P. Dubey was proved on the basis of documentary evidence and testimony of witness.

(x) Disciplinary authority acceded his request and provided an opportunity for personal hearing on 25.7.2003, but he did not turned up for personal hearing.

(xi) The appellate authority also granted opportunity for personal hearing on 7.11.2003 and 8.12.2003 and he failed to attend the same on one pretext or the other."

(k) It is against the aforesaid orders of Disciplinary Authority and Appellate authority that the applicant approached this Tribunal.



3. The legal issues as raised by the applicant are as under :-

- (a) The order has been passed by an incompetent authority.
- (b) The Rules referred to in the orders including the chargesheet are not applicable to the applicant.
- (c) The inquiry has been vitiated due to various irregularities and illegalities.
- (d) The impugned punishment is on the premises that provisions of Article 311(2) are not applicable to employees of KVS.
- (e) The respondents should not have inquired into article 1 of the chargesheet since the matter is pending before the Court (as per order dated 25.6.2005 the Judicial Magistrate Ist Class has issued summons to the complainee).
- (f) In any event punishment inflicted is shockingly disproportionate.

4. The respondents have contested the O.A. Certain preliminary objections such as non amenability of the application because of non-joineder of necessary parties, res-judicata etc. have also been raised. According to them, proceedings were initiated in accordance with the relevant rules and that CCS (Conduct) Rules as well as CCS (CCA) Rules are applicable even in the case of teaching staff. At the same time referring to the judgment of the Delhi High Court in Writ Petition 4485 of 2002, the respondents

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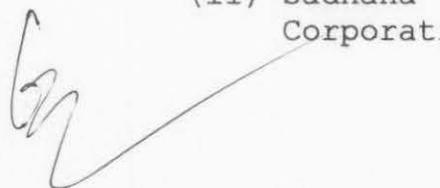
contended that article 311 of the Constitution of India is not applicable to employees of KVS.

5. Arguments were heard at length and pleadings perused. Zealously availing of opportunity to file Written submissions, both the sides have furnished comprehensive written submission annexing thereto the relevant decisions in support of the respective side. In so far as the applicant is concerned, the following are the decisions relied upon:

- (i) O.A. No. 283 of 2002 in re. A.D. Sharma Vs. U.O.I. & Ors. (Swamy News July 2003 page 76-78).
- (ii) 1986 ATC 587 in re. C.S. Manral Vs. U.O.I. & Ors.
- (iii) AIR 1979 SC 1022 in re. Union of India & Ors. Vs. J. Ahmed.
- (iv) AIR 1999 SC 677 in re. Kuldeep Singh Vs. The Commissioner of Police & Others.
- (v) 1976 ALJ 499 in re. Dhata Intermediate College Dhata & Ors. Vs. Bhahma Nand Singh & Others.
- (vi) WP No. 1595 of 1991 in re. Kamlapati Dubey Vs. U.O.I. & Ors. (Delhi High Court).
- (vii) AIR 1984 SC 1356 in re. Arjun Chaubey Vs. U.O.I. & Ors.

6. Similarly respondents have relied upon the following decisions:-

- (i) Chief Conservator of Forest Vs. Collector 2003 SCC Vol.3 472.
- (ii) Sadhana Lodh Vs. National Insurance Corporation 2003 SCC Vol 3 524.



(iii) U.O.I. & Ors. Vs. R.K.Sharma 2002 SCC Law Judgment (Vol 34).

(iv) U.O.I. Vs. B.K. Srivastava 1998 SCC Law Judgment 198 Vol. 1 page 7475.

(iv) Chairman & Managing Director United Commercial Bank & Others Vs. P.C. Kakkar 2003 (1996 FLR) 1067.

(v) Inspecting Assistant Commissioner, Bombay Vs. Sharad Narain 1998 SCC Law Judgment Vol. I page 889.

(vi) State of Punjab Vs. V.K. Khanna 2001 343.

(viii) Dr. V.K. Sarasvat Vs. U.O.I. (Decided by CAT vide its order dated 6.5.05)

7. First the legal issue:

(a) The contention of the applicant is that CCS (Conduct) Rules and CCS (CCA) Rules are not applicable to the teaching staff. This has been rebutted by the respondents stating that by order dated 10.2.1982 provisions of CCS (Conduct) Rules have been made applicable to the teaching staff in addition to the Code of Conduct enshrined in article 55 of the Education Code. Article 59 of the Code of Conduct also clearly states, "the provisions of CCS (Conduct) Rules 1964 shall apply mutatis mutandis to all employees of Kendriya Vidyalaya Sangathan, In addition to this, the following Code of Conduct shall also be applicable to teachers. Violation of these shall make an employee liable for action under the CCS (CCA) Rules 1965." This goes to show that the applicant is not right in his contention that CCS (CCA) Rules does not apply to him. Once these rules apply, needless to mention that provisions of Article 311 (2) would be applicable. The judgment of the High Court relied upon by the respondents, the details in respect of which have not been furnished, may in all probabilities be in a case relating to pre 1982 when CCS (CCA) Rules were not made applicable.

(b) As regards non-joinder of necessary party, since the Joint Commissioner



(Admn) has already been impleaded and , also since no relief is sought against Sri V.K. Jain, we do not find any legal lacuna in respect of non-joinder of necessary party.

- (c) The question of res-judicata contended by the respondents is thoroughly misplaced. For, the earlier O.A. no. 16 of 2002 (U) was decided not on merits, but only with a direction to conclude the proceedings.
- (d) As regards quantum of penalty, a little later.

8. Now on Facts :

- (a) Admittedly, the applicant has made certain complaints against certain alleged irregular functioning of certain officials in the respondents' organization. Article 1 relates to such complaint.
- (b) Article II also deals with the same. Article III, however, relates to alleged negligence of the applicant in performing the duties and so is Article IV.
- (c) In so far as the charges relating to making of complaint is concerned, the applicant contends that the respondents should not have initiated the proceedings on this ground since the matter is pending in the Criminal Court. To substantiate the same, the applicant has filed an order dated 25.6.2005 by which Criminal Court has issued summons to the alleged accused, Sri V.K. Jain. There is substance in the submission of the applicant. A mere



writing of the complaint cannot become ipso facto misconduct. It would certainly become misconduct in case the Criminal Court dismisses the complaint filed by the applicant. Instead against Sri V.K. Jain in furtherance of the compliant, the Criminal Court has chosen to issue summons. As such, Article II relating to complaint made against Sri V.K. Jain should not have figured in the chargesheet, nor a decision on the same would be appropriate since the Criminal Court is already seized of the issue.

(d) The applicant had requested for change of Inquiry Officer when the I.O. at his wisdom initially chosen Dehradun as a Venue for inquiry and on request for change of Venue chose Delhi (without giving reasons for the same). Though it was not the request station Nothing prevented the I.O. from fixing Banbasa as a venue. Finding that the I.O. is not acting bonafide and is biased, the applicant had approached the disciplinary authority for change of I.O. The same, however, was rejected.

(e) The disciplinary authority while arriving at the final conclusion had stated, " Sri K.P .Dubey, TGT (Maths) was found negligent to his teaching work in his subject in classes allotted to him, not maintained teachers' diary properly, not checked the Note books of the students, made false allegations

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against his superiors without having any proof in support of his allegation, sent representations directly containing his grievance to the Minister of HRD and Commissioner KVS etc and the said action of Sri K.P. Dubey amounts to negligent to his duties, failure to maintain devotion to duty and entered into the act of unbecoming a Govt. Servant."

(f) The appellate authority on appeal by the applicant observed the following :-

".....undersigned being the Appellate authority after going through his appeal has come to the conclusion that the appellant was found negligent of his teaching work in his subject in classes allotted to him, not maintained the teacher's diary properly, not checked the note books of the students properly, made false allegations against the superiors without having any proof in support of his allegation, sent representation directly containing his grievances to Minister of HRD and Commissioner, KVS etc. A person who chooses teaching as a career, assumes the obligation to conduct himself at all times in accordance with the highest standards of the teaching profession, aiming at quality and excellence in his work and conduct setting an example which command the respect of the pupils, the parents and his colleagues. The Assistant Commissioner (Dehradun) has rightly imposed the penalty of Dismissal from service and needs no modification in his order."

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(g) The appellate authority also came to the same conclusion regarding negligence to duties and upheld the order of the disciplinary authority.

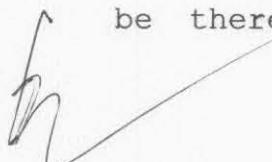
9. The first article of charge relates to unauthorized communication to the Hon'ble Minister for HRD about the alleged irregularity committed by Shri V.K. Jain. It is to be kept in mind that the addressee is none other than the superior Head of the Institution, and the applicant is one of the subordinates. It cannot be construed that a person is not authorized to communicate to the Hon'ble Minister under whose administration does the organization in which the person is serving fall. Hence, Rule 11 is not strictly applicable in the case of the applicant with reference to his approaching the Hon'ble Minister ventilating his grievance. Of course, the applicant ought to have made any such reference only through proper channel. But his failure to process his communication through proper channel can at best be considered as "a little irregularity" as held in the case of *K.N. Guruswamy v. State of Mysore*, (1955) 1 SCR 305.

10. In so far as maintenance of diary and proper teaching etc. are concerned, the question that would arise for consideration is whether such acts of negligence would figure in assessment while writing of Confidential Reports or should be dealt with under the

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disciplinary proceedings direct. Generally, the ACR system in vogue, is a curve corrector and recourse to disciplinary proceedings for negligence of duties could be taken if there being no improvement even after necessary counselling or admonition or adverse reports in the ACR. If the authorities desired to initiate proceedings against the applicant on the ground of lack of devotion to duties, referring to the shortfalls as contained in Art. III and IV, they ought to have given an opportunity for the applicant to improve by way of recording adverse remarks and communicating the same to the applicant so that he would improve and thereafter the disciplinary Proceedings could have been initiated, as done in the case of Bharat Ram Meena vs Rajasthan High Court, 1997 (3) SCC 233. Articles III and IV in that sense do not fill the bill of the disciplinary proceedings. The gravity as contained in the Articles though qualifies to be a matter to reckon with while writing ACR, is not sufficient to be an article of charge, that too, under major penalty proceedings.

11. Another way of looking at things is that normally, when disciplinary proceedings are initiated, various charges leveled against the delinquent official would be sequential or inter-related and not independent of each other. Exceptions, of course could be there. In the instant case, it appears that

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keeping Art. No. I and II as the main plank, with a view to strengthen the charge sheet other articles of charge have been framed. If so, it is not with a view to 'disciplining' the individual so that he could improve but with a pre-determined view to punish him. Again, the list of documents relied upon would also go to show that the complaint made against Shri V.K. Jain is dated 28-06-2001 which would have come to the knowledge of the respondents sometimes during the succeeding week and close to the heels of the same, a spate of complaints from the parents, all dated 10th or 11th July, 2001 against the applicant have been received! According to the applicant the same does not appear to be but one as "stage managed". For, if the parents were not happy with the performance of the applicant, initial reaction would have been only to mention the same in the Parent Teachers Meeting and not by way of a complaint that too on the same day. If by meeting of mind the parents take action against the inefficient teacher, then again, logically, the same would be either by way of a joint complaint or one through the executive of the parents' association, if there be one such association. The grievance of the applicant that the authorities act with a biased tendency is thus not without base.

12. The applicant has in fact leveled bias against the authorities and extensively argued as to the same.

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As such, a word about bias is necessary at this juncture. When disciplinary action is taken against the delinquent individual, the authorities act as a judge and his act is one of administration of justice. And as held in the case of **Union of India v. K.K. Dhawan, (1993) 2 SCC 56**, "It is one of the cardinal principles of administration of justice that it must be free from bias of any kind."

13. Thus, the question is Whether Bias or Malice has its role in the initiation of the proceedings as contended by the applicant. To consider the same, one should have a definite meaning of the term bias or malice. The Apex Court in the case of **State of Punjab v. V.K. Khanna, (2001) 2 SCC 330**, at page 336 have held as under :-

Whereas fairness is synonymous with reasonableness – bias stands included within the attributes and broader purview of the word "malice" which in common acceptation means and implies "spite" or "ill will". One redeeming feature in the matter of attributing bias or malice and is now well settled that mere general statements will not be sufficient for the purposes of indication of ill will. There must be cogent evidence available on record to come to the conclusion as to whether in fact, there was existing a bias or a mala fide move which results in the miscarriage of justice.

Now, what is malice? The Apex Court in the case of **State of Punjab v. Gurdial Singh, (1980) 2 SCC 471**, has held as under:-

Legal malice is gibberish unless juristic clarity keeps it separate from the popular concept of



personal vice. Pithily put, bad faith which invalidates the exercise of power — sometimes called colourable exercise or fraud on power and oftentimes overlaps motives, passions and satisfactions — is the attainment of ends beyond the sanctioned purposes of power by simulation or pretension of gaining a legitimate goal. If the use of the power is for the fulfilment of a legitimate object the actuation or catalysation by malice is not legicidal. The action is bad where the true object is to reach an end different from the one for which the power is entrusted, goaded by extraneous considerations, good or bad, but irrelevant to the entrustment. When the custodian of power is influenced in its exercise by considerations outside those for promotion of which the power is vested the court calls it a colourable exercise and is undeceived by illusion. In a broad, blurred sense, Benjamin Disraeli was not off the mark even in law when he stated: "I repeat . . . that all power is a trust — that we are accountable for its exercise — that, from the people, and for the people, all springs, and all must exist". Fraud on power voids the order if it is not exercised bona fide for the end designed. Fraud in this context is not equal to moral turpitude and embraces all cases in which the action impugned is to effect

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some object which is beyond the purpose and intent of the power, whether this be malice-laden or even benign. If the purpose is corrupt the resultant act is bad. If considerations, foreign to the scope of the power or extraneous to the statute, enter the verdict or impel the action, mala fides or fraud on power vitiates the acquisition or other official act."

14. In view of the above, Articles of Charge as contained in II (relating to complaint against Shri V.K. Jain) as well as those of III and IV, which have been added only to give strength to the charge sheet have been inserted in the charge sheet only on the basis of bias and hence, these cannot be sustained.

15. As regards Art. I, Annexure A-4 reflects that the applicant had sent the complaint through proper channel with advance copy to the Hon'ble Minister, but this has been denied. Assuming that the applicant had approached directly then also the question is whether in the absence of other articles, which as discussed above, do not stand judicial scrutiny, article I alone, even if proved is so grave as to warrant the extreme penalty of dismissal from service.

16. Thus, in so far as Art. II, III and IV are concerned, they being not sustainable; they are to be

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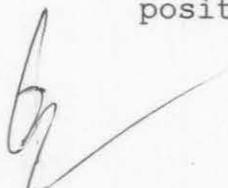
set aside. Again, in so far as Art. I is concerned, in view of the fact that non-routing the complaint addressed to the HRD Minister, is only a "technical irregularity" punishment cannot be the extreme one i.e. dismissal, as the same is shockingly disproportionate, it is for the Appellate authority to consider the matter afresh in a dispassionate manner and pass suitable orders. For, the Court cannot substitute the punishment as held in the case of *Damoh Panna Sagar Rural Regional Bank v. Munna Lal Jain*, (2005) 10 SCC 84, wherein the Apex Court has held as under:-

15. To put differently unless the punishment imposed by the disciplinary authority or the appellate authority shocks the conscience of the court/ tribunal, there is no scope for interference. Further to shorten litigations it may, in exceptional and rare cases, impose appropriate punishment by recording cogent reasons in support thereof. In the normal course if the punishment imposed is shockingly disproportionate it would be appropriate to direct the disciplinary authority or the appellate authority to reconsider the penalty imposed.

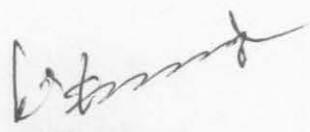
17. Here again, instead of continuing the self same charge sheet, majority of which has been held to be legally untenable, it would be appropriate, if the authorities, if they so choose, issue a fresh charge sheet and hold a fresh inquiry. In either case, since as per the applicant the entire proceedings were *ex parte*, he should be given a fair and reasonable opportunity to the applicant and then a decision be taken. In that event, as held in the case of **ECIL v.**

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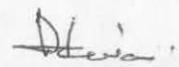
B. Karunakar, (1993) 4 SCC 727, and followed in the case reported in 2004 (7) SCC 581, when "the Court/Tribunal sets aside the order of punishment, the proper relief that should be granted is to direct reinstatement of the employee with liberty to the authority/management to proceed with the inquiry, by placing the employee under suspension and continuing the inquiry from the stage of furnishing him with the report. The question whether the employee would be entitled to the back-wages and other benefits from the date of his dismissal to the date of his reinstatement if ultimately ordered, should invariably be left to be decided by the authority concerned according to law, after the culmination of the proceedings and depending on the final outcome. If the employee succeeds in the fresh inquiry and is directed to be reinstated, the authority should be at liberty to decide according to law how it will treat the period from the date of dismissal till the reinstatement and to what benefits, if any and the extent of the benefits, he will be entitled. The reinstatement made as a result of the setting aside of the inquiry for failure to furnish the report, should be treated as a reinstatement for the purpose of holding the fresh inquiry from the stage of furnishing the report and no more, where such fresh inquiry is held. That will also be the correct position in law."

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18. To conclude, the O.A. succeeds and the orders dated 28.7.2003 and 22.12.2003 and the charge sheet are hereby quashed and set aside. The respondents are directed to reinstate the applicant within a period of three months from the date of communication of this order with all consequential benefits. If the applicant had drawn his G.P. Fund credit, the same shall be got re-deposited. No costs.



MEMBER-J



MEMBER-A

GIRISH/-