

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.203/00209/2021

Jabalpur, this Friday, the 19th day of March, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



S.K. Banjare S/o Parshadi Ram Banjare, Aged about 36 years, earlier posted as ACIO-I/G(PIS No.130319) C/o Shri M. R. Chelak behind Garden Patrakar Colony, Bilaspur (C.G.) 495001 Mobile No.7587054796
-Applicant

(By Advocate –**Shri Harsh Wardhan**)

V e r s u s

1. Union of India, Through its Secretary, Ministry of Home Affairs, Government of India, New Delhi 110116

2. Director, Intelligence Bureau (IB) & Disciplinary Authority Ministry of Home Affairs, Intelligence Bureau Head Quarters New Delhi 110001

3. Assistant Director Subsidiary Intelligence Bureau (SIB) Ministry of Home Affairs Intelligence Bureau Head Quarters New Delhi 110001

4. Jaidip Singh, Joint Director and Disciplinary Authority, Subsidiary Intelligence Bureau (SIB) Ministry of Home Affairs, Government of India, Raipur (C.G.) 492001

5. Assistant Director Subsidiary Intelligence Bureau (SIB) Ministry of Home Affairs Government of India, Raipur (C.G.) 492001
- Respondents

(By Advocate –**Shri Vivek Verma**)

ORDER (Oral)**By Ramesh Singh Thakur, JM:-**

Heard.



2. This Original Application has been filed against the impugned order dated 17.07.2019 (Annexure A-1) whereby the applicant has been removed from service.

3. From the pleadings the case of the applicant is that the applicant while working at Balrampur Unit (under SIB Raipur) had remained unauthorized absent from duty and was issued a charge sheet dated 29.01.2018 under Rule 14 of the CCS(CCA) Rules, 1965. The applicant was asked to submit his defence but the same was not submitted. The inquiry officer was appointed and submitted his inquiry report holding the charges proved against the applicant. The disciplinary authority imposed the punishment of removal from service.

4. The main ground for challenging the impugned order is that the entire enquiry proceedings were initiated and contrary to the principles of natural justice as the applicant was not supplied copy of the documents as demanded by him. No opportunity was granted to him to submit his defence which vitiates the entire departmental enquiry proceedings. The

request for change of inquiry officer was also rejected. Even the request of changing the venue of enquiry proceedings from Raipur to Bilaspur was arbitrarily and malafidely rejected. Further the applicant submitted that due to his son illness and treatment he was absent and his absence was not deliberate.



The applicant submitted that he has filed appeal before the appellate authority against the order of disciplinary authority vide Annexure A/6 which is still pending with the appellate authority.

5. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the appellate authority is directed to decide Annexure A/6 in a time bound manner.

6. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

7. We have considered the matter and we are of the view that the natural justice will be met if the appellate authority is directed to decide applicant's appeal Annexure A/6 in a time bound manner.

8. Resultantly, the appellate authority is directed to decide the applicant's appeal dated 09.08.2019 (Annexure A/6), if not

already decided, within a period of six weeks after receiving the copy of this order.

9. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in Annexure A/6.



10. With these observations, this Original Application is disposed of at admission stage itself.

11. It is made clear that this Tribunal has not touched the merits of the case.

(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

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