

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 7TH DAY OF OCTOBER, 2002

Original Application No. 776 of 2002

CORAM:

HON.MR.S.DAYAL, MEMBER(A)

HON.MR.A.K.BHATNAGAR, MEMBER(J)

Jagir Singh Bajwa, a/a 60 years
Son of Late F.S.Bajwa, R/o P/9
Hageekat Nagar Chhota Chauk,
Sahranpur, presently posted as Asstt.
Director Telecom, in the Office of
General Manager, Telecom
Distt. Sahranpur.

... Applicant

(By Adv: Shri Sudhir Agrawal)

Versus

1. Union of India through the
Secretary, Ministry of Telecommunication
Dept. of Telecom, New Delhi.
2. The Chief General Manager
Telecom Western U.P. Telecom
Circle, Dehradun.

... Respondents

(By Adv: Shri R.C.Joshi)

O R D E R(Oral)

Hon.Mr.S.Dayal, Member(A)

This application has been filed for setting aside the
disciplinary proceeding including charge sheet dated
14.12.00. In the alternative, a direction is sought to
the respondents to complete the disciplinary proceeding
against the applicant within a reasonable time. It is
stated that the applicant ~~is~~ has superannuated on 31.5.02.

The case of the applicant is that he was served with a
memorandum of charges dated 14.12.00 on 11.1.01 charging
him with wrong verification of certain bills sometimes in
December 1997. It is the claim of the applicant that he
sought inspection of relied upon documents which was

ordered by the Enquiry officer to be produced by the presenting officer on 20.2.01. The presenting officer failed to produce them on 20.2.01. On the subsequent date which were 4.4.01, 16.7.01, 30.7.01 and 14.9.01 the listed documents were not produced for inspection by the applicant. It is stated that the same thing happened on 3.12.01 and 26.2.01. Thus, the respondents are deliberately delaying the proceedings.

We have heard the arguments of Shri S.K.Mishra counsel for the applicant and Shri P.D.Tripathi brief holder of Shri R.C.Joshi counsel for the respondents.

The learned counsel for the applicant has contended that the applicant has been subjected to harassment vide delay in the inquiry proceedings and non production of relied upon documents. The applicant has retired during the pendency of proceedings.

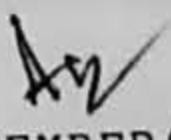
The learned counsel for the respondents, on the other hand, stated that circumstances in which the relied upon documents could not be presented require verification. He, however agreed with the claim of the applicant that there is a need to settle the question early since the applicant has retired.

We find that the applicant has been charged with falsely certifying bill no.2 amounting to Rs 26017, bill no.3 amounting to Rs 25638/-, and bill no.4 amounting to Rs 28335/-. It is mentioned in the memorandum of charges that the bills were highly inflated and contrary to the rates approved in the contract agreement. It is stated that some of the work for which the payment was claimed was not even performed.

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We consider it appropriate to direct the respondents to complete the inquiry against the applicant within a period of four months from the date of receipt of a copy of this order in case, the respondents decide to continue the inquiry. The inquiry may be held from day-to-day and completed within the time allowed.

With these directions the OA is disposed of. No order as to costs.


MEMBER (J)


MEMBER (A)

Dated: 07th October, 2002

Uv/