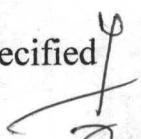


O.A.NO.108/2010

ORDER DATED 12.3.2010

1. Upon being mentioned by Mr.J.M.Pattnaik, learned counsel for the Applicant (made in the presence of Mr. S.Mishra, learned Addl.Standing Counsel for the Government of India) this matter is taken up.
2. Heard Mr.Pattnaik, learned counsel for the Applicant and Mr.S.Mishra, learned Addl.Standing Counsel (to whom a copy of this O.A. has already been supplied) and perused the materials placed on record.
3. Applicant was charge-sheeted in a departmental proceeding\$. The charge-sheet dated 23.12.2009 was served on the Applicant on 5.1.2010. Applicant did not admit the allegations (made in the charge-sheet) vide his reply dated 11.01.2010. He has, however, not submitted the written statement of defence. It is the case of the Applicant that documents basing on which the charges have been framed, having not been supplied to him, he has not been able to give a full explanation in the matter. In his representation dated 11.01.2010, the Applicant has prayed to the Disciplinary Authority for supplying him the documents specified in Annexure-A-III to the charge-sheet dated 23.12.2009. He has stated in his representation dated 11.01.2010 that since the C.B.I. has seized his Personal File, he need to inspect/take extract of the documents (specified



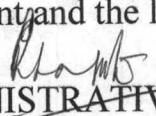
in Annexure-III to the charge-sheet for putting up an effective defence in his case.

4. Having heard the learned counsel for the parties at length, we dispose of this case, without any waste of time, by remitting the matter to the Respondents to allow the Applicant (within 15 days) to inspect the records specified in Annexure-A-III to the charge-sheet. In course of inspection, if the Applicant would desire to take extract from any of the documents, he shall specify the same and he may be allowed to do so. The Disciplinary Authority shall, however, remain free to refuse inspection of any of the documents or to take extract of any of the document, for the reasons to be recorded and intimated to the Applicant in writing. Upon inspection of the documents the Applicant shall remain free to file his written statement of defence within 30 days of complete inspection of documents.

5. With the above observation and direction, this Original Application stands disposed of.

6. Send copies of this order (along with copies of the Original Application) by Regd. Post to the Respondents in the address given in the O.A.

7. Free copies of this order be supplied to the learned counsel for the Applicant and the learned counsel for both the parties.


ADMINISTRATIVE MEMBER


VICE-CHAIRMAN