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CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR.

Date of Order : 20.04.2001.

ORIGINAL APPLICATION No. 171/1999.

Anda Ram son of Shri Poona Ram, aged about 32 years, resident of Vill. and Po. Gura Visnoi via Luni Distt, Jodhpur, at present employed on the post of Watchman in Security Section Guard Room, Air Force Station, Jodhpur.

APPLICANT..

VERSUS

1. Union of India through Secretary to the Govt. of India, Ministry of Defence, Raksha Bhawan, New Delhi.
2. Air Officer Commanding, Air Force Station, Ratanada, Jodhpur.
3. The Chief Administrative Officer, Air Force Station, Ratanada, Jodhpur.

RESPONDENTS..

Mr. J. K. Kaushik, counsel for the applicant.  
Mr. Vinit Mathur, counsel for the respondents.

CORAM

Hon'ble Mr. Justice, B. S. Raikote, Vice Chairman.  
Hon'ble Mr. Gopal Singh, Administrative Member.

ORDER

( per Hon'ble Mr. Gopal Singh )

In this application under Section 19 of the Administrative Tribunals Act, 1985, applicant Anda Ram has prayed for quashing the impugned chargesheet dated 18.02.1999 ( Annexure A-1 ) and order dated 05.04.1999 ( Annexure A-2 ) with all consequential benefits.

2. Applicant's case is that he was initially appointed as Anti Malaria Lascar on 01.06.1988 and

*Gopal Singh*

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was given permanent post of Watchman on 01.12.1998. He was on duty on 22.11.1998 from 2200 hours to 0600 hours of 23.12.1998. The applicant was issued a show cause notice on 08.01.1999, asking him to explain the absence from duty at 0230 hours and 0600 hours. Applicant denied the same and asked for an inquiry into the matter, thereafter, he was issued a charge-sheet on 18.02.1999. On conclusion of the inquiry a minor penalty of reduction of his pay to the lower stage for a period of one year without future effect was imposed upon him vide letter dated 05.04.1999. Appeal filed by the applicant was rejected by the Appellate Authority vide letter dated 18.05.1999 ( Annexure A-3 ). It is the contention of the applicant that the Appellate Authority has not given any specific findings on the points raised by the applicant and the applicant has also not been given personal hearing. Hence, this application.



3. In the counter, the respondents have contested application the ~~xxx/xxxxxx~~ vehemently and it is stated by them that the applicant was absent from the duty point at the relevant time. It has, therefore, been stated by the respondents that the penalty has been imposed upon the applicant after due consideration of his representation in this regard. Hence, it has been averred by the respondents that the application is devoid of any merit and is liable to be dismissed.

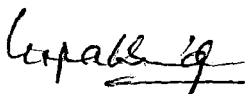
4. We have heard the learned counsel for the parties and perused the records of the case carefully.

*Capable of*

5. It is seen from the chargesheet dated 18.02.1999 ( Annexure A-1 ) that the applicant was not found on his duty at 0230 hours and 0600 hours on 23.12.1998 during the inspection by Air Officer Commanding and for that lapse, a penalty of reduction to the lower stage of pay scale for a period of one year without any future effect was imposed upon the applicant. Similar cases had come up before us earlier in OA No. 32/1999 and 33/1999 decided on 07.03.2001, where the applicants were found sleeping during night duty, and both the applications were rejected for the reasons recorded therein. We are of the view that the present case is also fully covered by our order dated 07.03.2001 passed in OA No. 32/1999 and 33/1999.



6. For detailed reasons recorded in our order dated 07.03.2001 passed in OA No. 32/1999 and 33/1999, this application is dismissed but without cost.

  
( GOPAL SINGH )  
Admn. Member

  
( B. S. RAIKOTE )  
Vice Chairman

Received

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Part II and III destroyed  
in my presence on 24.3.07  
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S. M. A. (as per  
dated 25/2/07)

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