

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.380 of 1994

Thursday, this the 22nd day of December, 1994.

CORAM

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR P SURYAPRAKASAM, JUDICIAL MEMBER

MT Joseph, S/o ME Thomas,
Line Man, Telephone Exchange,
Nettoor, Ernakulam.

...Applicant

By Advocate Mr KKM Sheriff.

Vs

1. Union of India rep. by Secretary,
Ministry of Communications,
Sanchar Bhavan,
New Delhi.

2. The Chief General Manager,
Telecom, Kerala Circle,
Trivandrum

3. The General Manager,
Telecom, Catholic Centre,
Ernakulam.

4. The Divisional Engineer,
Phones (Suburban),
Ernakulam-25.

5. The Assistant Engineer,
Phones (Groups),
Tripunithura.

...Respondents

By Advocate Mr C Kochunni Nair, Senior Panel Counsel.

O R D E R

PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant is aggrieved by the punishment of censure awarded to him. The charge was that the applicant had entered Nettoor Police Station on 22.8.1991 in an intoxicated condition, and behaved in an improper manner. According to applicant, the charges were not proved, and no case has been registered against the applicant. He also contends that no statement was given by the Sub Inspector of Police.

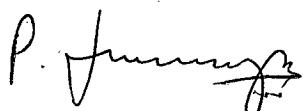
2. According to respondents, there was clear evidence in writing from a responsible Police Officer, and that after giving due opportunity to the applicant as envisaged in the disciplinary proceedings for minor penalties, the disciplinary authority awarded a minor punishment of withholding one increment for a period of one year without cumulative effect (Annexure A-3). This was reduced in appeal to censure. We see no reason to interfere with the findings of the Disciplinary authority or with the punishment awarded to the applicant, which, if at all, errs on the side of leniency.

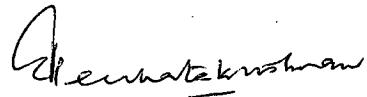
3. Applicant contends that as a result of this punishment, his further promotion as Phone Mechanic has been delayed. As a result of the interim order dated 4.3.94 of this Tribunal, applicant has been sent for training for the post of Phone Mechanic. According to respondents, applicant had made a representation dated 3.2.94 which is under examination (A-12).

4. We accordingly direct third respondent, General Manager to dispose of the pending representation (A-12) within two months of today, and communicate the orders to the applicant.

5. Application is disposed of. No costs.

Dated the 22nd day of December, 1994.


P. SURYAPRAKASAM
JUDICIAL MEMBER


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

List of Annexures

1. Annexure-A3: True copy of Order No.E-26/90-92/TPN/25 dated 18.3.92 of the fifth respondent
2. Annexure-A12:True copy of the representation of the applicant submitted before the 3rd respondent dated 3.2.94.