

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.411/97

Friday this the 11th day of April, 1997.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

P. P. Lonappan,
Assistant Accounts Officer,
South Western Rivers Division,
Central Water Commission,
Kochi.18. ... Applicant.

(By Advocate Mr. T.C.Govindaswamy)

Vs.

1. Controller General of Accounts
Ministry of Finance,
Department of Expenditure,
Lok Nayak Bhavan, New Delhi.
2. The Chairman,
Central Water Commission,
Sewa Bhavan, R.K.Puram,
New Delhi-110066.
3. The Controller of Accounts,
Ministry of Water Resources,
E-Wing, Shastri Bhavan,
New Delhi-1
4. Dr. Sakuntala,
Deputy Controller of Accounts,
Ministry of Water Resources,
E Wing, Shastri Bhavan
New Delhi.1.
5. Dr. K.K.M Menon,
Director,
Central Water Commission,
Sardar Sarovar (Power House) Directorate,
IInd floor, West Block No.II,
R.K.Puram, New Delhi-110066.
6. Shri T.K.Sivarajan,
Executive Engineer,
South Western Rivers Division,
Central Water Commission,
Khalifa Buildings,
S.R.M. Road, Ernakulam North Post,
Kochi-18.

contd...

7. The Principal Accountant General
(Audit) Kerala, Trivandrum.39.

8. Executive Engineer,
South Western Rivers Division,
Central Water Commission,
SRM Road, Ernakulam North Post
Kochi.18.

... Respondents

(By Advocate Mr. P.R.Ramachandra Menon (represented)

The application having been heard on 11.4.1997, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant has filed this application for
the following reliefs:-

- (a) Direct the third respondent to cause a detailed scrutiny of the various issues raised in Annexure A2 and to take appropriate action as may be required thereon, forthwith.
- (b) Pass appropriate orders restraining the sixth/eighth respondents from illegal and arbitrarily interfering in the lawful discharge of the duties assigned to the applicant as Divisional Accountant.
- (c) Call for the records leading to the issue of Annexures A3 and A5 and quash the same.
- (d) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case.

2. After making submission for quite some time and as he could not persuade us to accept that the reliefs claimed on sub paras (a) to (c) of para 8 are related to each other, learned counsel for the applicant states that the application may be considered for the relief claimed in sub para (c) of para 8 of the application. This prayer relates to quashing of adverse entries in the

contd...

Annual Confidential Reports of the applicant in two succeeding years. The applicant had made representations against these adverse entries in the ACRs and copies of these appeals are A4 and A6. These appeals are yet to be disposed of by the competent authority. Learned counsel for the respondents states that the competent authority would now consider these representations within the time stipulated by the Tribunal. Learned counsel for the applicant states that the applicant would be satisfied if appropriate directions are given to the Deputy Controller of Accounts, Ministry of Water Resources, Shastri Bhavan, New Delhi to dispose of A4 and A6 representations within a short time.

3. In the light of the above submission by the learned counsel, we are only considering the relief prayed for in sub para (c) of para 8 of the application. The Deputy Controller of Accounts, Ministry of Water Resources, Shastri Bhavan, New Delhi is directed to consider the representations made by the applicant against the adverse entries in his ACRs (Annexure A4 and A6) in accordance with law, calling from the relevant persons the relevant particulars, giving proper application of mind and to give the applicant a speaking order thereon within a period of three months from the date of receipt of a copy of this order.

4. With the abovesaid directions, the application is disposed of. No costs.

Dated the 11th day of April, 1997.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

LIST OF ANNEXURES

Annexure A-2 : A true copy of the Appeal No. SWRD/101/DA/95-AB/7020 dated 21-12-95 submitted by the applicant to the third respondent.

Annexure A-3 : A true copy of the Memo No. WR/CA/Admn.4(5)/CR/95-96/3765 dated 22-1-96 issued by the fourth respondent.

Annexure A-4 : A true copy of the Appeal dated 9-2-96 submitted by the applicant to the fourth respondent.

Annexure A-5 : A true copy of the Memo No. WR/CA/Admn. 4(5)/95-96/1244 dated 12-8-96 issued by the fourth respondent.

Annexure A-6 : A true copy of the Appeal dated 2-9-96 submitted by the applicant to the fourth respondent.
