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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.1055/93 to
OA.1062/93

date of decision : 2-9-1993

1. K. Kameswara Rao (OA.1055/93)
2. D. Venkateswarlu (OA.1056/93)
3. Sk. Khasim (OA.1057/93)
4. I. Chalameiah (OA.1058/93)
5. G. Ravindra Reddy (OA.1059/93)
6. P. Krishnaiah (OA.1060/93)
7. M. Narasaiah (OA.1061/93) &
8. O. Mallaiah (OA.1062/93) : Applicants

versus

1. The Sub-Divisional Officer
Telecommunications
Peddapalli 505172

2. The Joint Secy to GO

3. Union of India, rep. by
The Chairman, Telecom Commission
Sanchar Bhavan
New Delhi 110 001

Common respondents
: in all the cases

Counsel for the applicants
in all the cases

: C. Suryanarayana
Advocate

Counsel for the respondents
in OA.1055/93; OA.1056/93 and
OA.1060/93

: N.V. Ramana, Addl. SC
for Central Government

in OA.1057/93 & OA.1058/93

: N.V. Raghava Reddy,
Addl. SC for Central Govt.

Counsel for the respondents
in OA.1059/93; OA.1061/93 and
OA.1062/93

: V. Bhimanna, Addl. SC
for Central Government

FOR AM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

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Judgment

(As per Hon'ble Mr.P.T.Thiruvengadam, Member(Admn.))

The applicants in these OAs are casual labourers in Telecommunications Department. They were served with orders of termination from service with one month's notice as per impugned order served on them on 3.8.1993. Enquires were conducted against the applicants for alleged production of forged and false records with regard to their earlier casual labour service in the department, based on which they were further engaged later. The applicants participated in the respective inquiries and the first respondent in the respective OAs figured as witnesses in the inquiries.

2. The two main contentions for the applicants are that (i) the principles of natural justice are not followed in not furnishing the copy of the inquiry officer's report before the impugned orders are passed; and (ii) the first respondent who passed the orders figured as witness.

3. These cases are squarely covered by the judgment dated 26.8.1993 in O.A.No.988/83 and batch cases on the file of this Bench. For the reasons stated therein, we allow these OAs at the admission stage by setting aside the impugned orders and by directing the first respondent to appoint another disciplinary authority who is of the rank equal to or above the first respondent, if it is intended to proceed further with the inquiries and in such a case, it is necessary for disciplinary authority to issue a show-cause notice by enclosing the copy of the inquiry officer's report by informing the applicants that if they intend to challenge the findings therein, they

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have to submit their objections within the time stipulated.

4. The OA is ordered accordingly. No costs.

(P.T. Thiruvengadam)
Member(Admn)

(V. Neeladri Rao)
Vice-Chairman

Dated : September 2, 93
Dictated in the Open Court

Deputy Registrar(J)

To

1. The Sub-Divisional Officer,
Telecommunications, Peddapalli-172.
2. ^{sk} The Telecom District Engineer, Karimnagar-050
3. The Chairman, Union of India, Telecom Commission,
Sanchar Bhavan, New Delhi-1.
5. One copy to Mr.N.v.Ramana, Addl.CGSC.CAT.Hyd.
6. One copy to Mr.N.v.Raghava Reddy, Addl.CGSC.CAT.Hyd.
8. One copy to Library, CAT.Hyd.
9. One spare copy.

pvm