

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1143/96

Date of Order: 30.9.96

BETWEEN:

Dr. L.Dhandem

.. Applicant.

AND

1. The Union of India, rep. by its Secretary, Govt. of India, Revenue Dept., Ministry of Finance, North Block, New Delhi.
2. The Under Secretary to Govt. of India, Revenue Department (Administration V), North Block, New Delhi.
3. The Chief Commissioner of Customs and Central Excise, L.B.Stadium, Bashirbagh, Hyderabad.
4. The Commissioner of Central Excise, L.B.Stadium, Road, Bashirbagh, Hyderabad.

.. Respondents.

Counsel for the Applicant

.. Mr.S.Ramakrishna Rao

Counsel for the Respondents

.. Mr.K.Bhaskara Rao

CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

J U D G E M E N T

{ Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) }

Heard Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.K.Bhaskara Rao, learned standing counsel for the respondents.

2. The applicant in this OA while working as Assistant Collector at Collectorate of Customs and Central Excise was issued with a suspension order by the President in exercise of powers conferred by sub-rule 1(b) of Rule 10 of the CCS (CCA) Rules, 1965. (By order No.C-14011/32/96-Ad.V, dated 23.8.96 sole annexure).

3. The applicant now submits that in para-4 of the order it is stated that the headquarter of the applicant herein should be Commissionerate of Central Excise, Guntur and that the applicant shall not leave the said headquarters without obtaining previous permission of the undersigned. The applicant submits that showing his headquarters at Guntur is incorrect as he was Assistant Commissioner of Customs and Central Excise at Hyderabad with headquarters at Hyderabad before suspension. Hence he has to get permission from competent authority to leave his headquarters at Hyderabad if it is necessitated. Relying on the Government of India instructions, Ministry of Home Affairs, O.M.No.39/5/56-Ests(A), dated 8.9.96 he submits that "when an individual under suspension requests for change of headquarters there is no objection to the competent authority changing the headquarters if it is satisfied that such a course will not put the Government to any extra expenditure like grant of travelling allowance etc.". The applicant states that his headquarters is Hyderabad and showing Guntur as Headquarters is incorrect. Further he submits that he has not requested for change of headquarters from Hyderabad to Guntur.

4. In view of the above, ^{the applicant} ~~he~~ may now submit a suitable representation to R-3 to correct his headquarters which he should not leave without proper permission during his suspension period as Hyderabad instead of Guntur. R-3 should take a suitable decision and inform the applicant suitably expeditiously in accordance with the law preferably within a period of one month from the date of receipt of that representation.

5. O.A. is ordered accordingly. No costs.

(R. RANGARAJAN)
Member (Admn.)

Dated: 30th September, 1996

(Dictated in Open Court)

(15)

..3..

D.A.NO.1143/96

Copy to:-

1. The Secretary, Govt. of India,
Revenue Dept., Govt. of India,
Ministry of Defence,
North Block, New Delhi.
2. The Under Secretary to Govt. of India,
Revenue Dept., (Administration),
North Block,
New Delhi.
3. The Chief Commissioner of Customs
And Central Excise, L.B.Stadium,
Basheerbagh, Hyderabad.
4. The Commissioner of Central Excise,
L.B.Stadium Road, Basheerbagh,
Hyderabad.
5. One copy to Mr.S.Ramakrishna Rao, Advocate,
CAT, Hyderabad.
7. One copy to Mr.K.Bhaskara Rao, Addl.CGSC,
CAT, Hyderabad.
8. One copy to Library, CAT, Hyderabad.
9. One duplicate copy.

YLKR

28/10/96
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Typed By
Compared by

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Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED: 30/9/96

ORDER/JUDGEMENT
R.A/C.P./M.A.NO.

in
O.A.NO. 1143/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED
DISMISSED AS WITHDRAWN
~~ORDERED/REJECTED~~
NO ORDER AS TO COSTS.

YLKR

II COURT

