

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

C.A. 913/97.

Dt. of Decision : 23-07-97.

R. Appa Rao

.. Applicant.

Vs

1. The Commander,
Works Engineer, MUDFort,
Secunderabad.
2. The Chief Engineer,
Hyderabad Zone, MES,
Secunderabad.
3. The Garrison Engineer,
MES, Golconda, Hyderabad-8.

.. Respondents.

Counsel for the applicant

: Mr. K. Venkateswara Rao

Counsel for the respondents

: Mr. V. Rajeswara Rao, Addl. C.S.J.

CORAM:-

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

THE HON'BLE SHRI H.S. JAI PARNESHWAR : MEMBER (JUDL.)

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16/10

ORDER

GENERAL ORDER (PER HON'BLE SHRI R. RAJASARANYA : MEMBER (ADJ.))

Heard Mr.K.Venkateswara Rao, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents.

2. The applicant in this OA while working as Mazdoor under R-3 was issued with a charge-sheet bearing No.158/363/EIC, dated 14-03-95 (Page-15 to the OA) for violation of Rule 3 (i) (ii) of CCS (Conduct) Rules, 1964, ⁱⁿ that he has produced bogus employment registration card. That charge-sheet was enquired into by the enquiry officer and the enquiry officer report was submitted which is enclosed at page-24, 25 and 26. A copy of the enquiry report was supplied to the applicant vide memorandum No.158/651/EIC dated 30-04-96 (Page-21 to the OA). While supplying ^{the} enquiry report to the applicant by the memorandum quoted above, the disciplinary authority viz., R-1 has observed that he had provisionally come to the conclusion that the charges framed against the said applicant have been conclusively established. The undersigned, thus proposes to impose on him the penalty of dismissal from service which shall ordinarily be a disqualification for future employment under the Government. The applicant on receipt of that memorandum along with the enquiry report submitted his representation dated 27-05-96 (Page-35 to the CA). On the basis of that the applicant was dismissed from service by the memorandum No.158/759/EIC dated 30-06-97 (Page-13 ~~to~~ to the CA).

3. This OA is filed for setting aside the impugned order No.158/759/EIC dated 30-06-1997 (Page-13 to the CA) issued by R-1 by holding the same as illegal, arbitrary, discriminatory and violative of CCS (CCA) Rules, 1965 and for a consequential direction to re-instate him in service.



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4. The learned counsel for the applicant made the following important points in regard to the conduct of enquiry and awarding of punishment to the applicant herein. (M3) (53)

The learned counsel for the applicant submitted that the enquiry report is a common proceedings under rule-18 of the CCS(CCA) Rules, 1968. As the details of each of the accused employees ⁱⁿ separate it is essential that the enquiry proceedings should be conducted individually instead of ^a combined enquiry. Thus at the initial stage itself the enquiry was vitiated.

6. The second contention of the applicant in this OA is that the disciplinary authority while forwarding the ^{copy of the} enquiry report to him had come to a preconceived notion that the applicant is liable to be dismissed from service. Such a preconceived notion is not warranted. The disciplinary authority should decide the case judicially after getting his defence statement on the enquiry report. Till such time the defence statement is not received ^{from} by the applicant the ~~disciplinary~~ disciplinary authority cannot conclude or take a preconceived notion in regard to the punishment to be awarded to the applicant. Hence, the proceedings are once again vitiated because of the preconceived notion taken by the disciplinary authority viz., R-1 herein. This has also been indicated in his defence statement which is enclosed at Page-35 to this OA.

7. The third contention of the applicant is that the documents which are relied upon ^{were} are not supplied to him and ^{was} rejected ^{as it} is an official record. Such rejection is not warranted as that is ^{and} all the relied upon document ^{at least} a xerox copy of the document should have been supplied to the applicant. Even that was not done. Hence, the principles of natural justice are not followed in this case.

8. The learned counsel for the respondents brought to our notice that the applicant has refused to sign the statement given by him as can be seen from Annexure-VII Page-33 to the OA. Thus the applicant has not co-operated in conducting the enquiry. But we feel that in case the applicant refused to sign it would have been taken on record on the basis of the witness present in the ^{enquiry room} ~~court~~.

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9. In view of the above contention raised by the applicant the learned counsel for the applicant submits that this Tribunal can straight away set aside the ^{only} ~~issue~~ ever though no appeal has been filed against the orders of the disciplinary authority. But after exhaustive discussion, the learned counsel for the applicant submitted that his contentions may be noted in the judgement and after that a direction may be given ^{to} ~~for~~ the applicant to file an appeal in this connection and also a direction to the appellate ^{short} authority to dispose of that appeal within a ~~period~~..

10. In view of the above submission, the following direction is given:-

The applicant should submit a detailed ^{appeal} ~~representation~~ to the appellate authority including the contentions raised in this CA within a fortnight from to-day. If such ^{appeal} ~~representation~~ is received the appellate authority concerned should dispose of the same within two months from the date of receipt of a copy of that ^{appeal} ~~representation~~, taking due note of the observations made as above in the judgement.

11. The learned counsel for the applicant submitted that in view of the draw back in the conduct of the enquiry and issue of the punishment order, the appellate authority may be directed to suspend the impugned dismissal order. We do not propose to give any direction as prayed for as above. But the applicant is at liberty to make this request to the appellate authority and that appellate authority will decide the course of action necessary to be taken on the basis of his request.

12. With the above direction the CA is disposed of at the admission stage itself. No costs.

प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

न्यायालय अधिकारी
COURT OFFICER
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हयदराब बेंच
HYDERABAD BENCH

10/10/20

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH

AT HYDERABAD

C.A. 952/97.

Dt. of Decision : 01-08-97.

S. Rameshchandra

.. Applicant.

Vs

1. The Commander, Works Engineer, Madhura, Sec'bad.
2. The Chief Engineer, Hyderabad Zone, VES, Sec'bad.
3. The Supervisor Engineer, M.S., Golconda, Hyderabad-8.

.. Respondents.

Counsel for the applicant

: Mr. K. Venkatesh Reddy

Counsel for the respondents

: Mr. V. Rajeswara Reddy, Addl. G.O.S.C.

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADIT.)

THE HON'BLE SHRI B. S. JAI PARAMESHWAR : MEMBER (JUDL.)

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11/2/97

ORDER

ORIGINAL ORDER (PER HON'BLE SHRI R. RAJAGOPALAN : MEMBER (ADJUT.))

Heard Mr. K. Venkateswara Rao, learned counsel for the applicant and Mr. V. Rajaswara Rao, learned counsel for the respondents.

2. The applicant was dismissed from service by order No. 158/762/EIC dt. 30-6-97 (Annexure-I). The applicant submits that there are lot of technical irregularities committed by the respondents in issue of the dismissal order. First of all he states that the Principles of natural justice is not followed, in that the necessary documents on which the charges ^{were} framed ^{were} not supplied to him. Secondly, the learned counsel for the applicant submits that no proper enquiry was conducted. The enquiry has to be conducted in accordance with the rule ~~14~~ 14 of the CCS(CCA) Rules. ~~Under the rule~~ that the enquiry was conducted under Rule 14 of the CCS (CCA) Rules. Hence the applicant submits that it is a fit case to be considered by this Tribunal without asking the applicant to ~~avail~~ ^{avail} the alternative remedies available to him by filing an appeal to the appellate authority.

3. This GA is filed for setting aside the impugned dismissal order No. 158/762/EIC dt. 30-6-97 (Annexure-I) issued by Civil Works Engineers (R-1 herein) by holding the same as arbitrary, illegal, violative of ~~Articles~~ CCS(CCA) Rules, 1965 and Articles 15 and 16 of the Constitution of India and principles of natural justice and for a consequential direction to reinstate him in service.

4. The contentions made in this GA are to be considered by the appellate authority who is ^a quasi judicial authority. We have no doubt in mind that the quasi-judicial authority will ~~xx~~ consider ^{all} his contentions ^{fully} while disposing of his appeal. Though the Bench ~~can~~ can decide ~~on merits~~ this GA, even though the applicant has not availed the alternative remedies available, we feel that the applicant will ^{get} have a quick ^{relief} ~~remedy~~ by appealing against the orders.

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of the dismissal to the appellate authority. ^{To} further assist the applicant we also feel that a time bound schedule may be given in this case for disposal of his appeal.

5. In view of the above, the applicant is so advised may file a detailed appeal to the appellate authority including all the available contentions to him within a period of one month from the date of receipt of a copy of the judgement. If such an appeal is received by the concerned appellate authority then that appellate authority should dispose of the appeal in accordance with law giving a detailed speaking order on the contentions raised by him within a period of two months from the date of receipt of that appeal.

6. The OA is ordered accordingly at the admission stage itself. No costs.

प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

[Signature]
न्यायालय अधिकारी
COURT OFFICER
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद न्यायपीठ
HYDERABAD BENCH

[Signature]

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT :: HYDERABAD BENCH
AT :: HYDERABAD

O.A.NO.952/97

Dt. of Decision : 01.03.1997

S.Ramachandran

... Applicant

V s.

1. The Commander, Works Engineer,
Mudfort, Secunderabad.
2. The Chief Engineer, Hyderabad Zone,
MES, Secunderabad.
3. The Garrison Engineer, MES,
Golconda, Hyderabad-8.

... Respondents

Counsel for the Applicant : Mr. K.Venkateswara Rao

Counsel for the Respondents : Mr.V.Rajeswara Rao, Addl.CGSC

CORAM

The Hon'ble Sri R.Rangarajan, Member (Admn.)

The Hon'ble Sri B.S.Jai Parameswar : Member (Judl.)

ORDER

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN : MEMBER (ADMN.))

Heard Mr.K.Venkateswara Rao, learned Counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents.

2. The Applicant was dismissed from service by order No.158/762/EIC dt. 30.6.97 (Annexure-I). The Applicant submits that there are lot of technical irregularities committed by the respondents in issue of the dismissal order. First of all he states that the principles of natural justice is not followed, in that the necessary documents ~~xx~~ on which the charges were framed were not supplied to him. Secondly, the learned counsel for the applicant submits that no proper enquiry was conducted. The enquiry has to be conducted in accordance with the rule 14 of the CCS(CCA) Rules. In spite of that the inquiry was conducted under Rule 13 of the CCS(CCA) Rules. Hence the applicant submits that it is a fit case to be considered by this Tribunal without asking the applicant to avail the alternative remedies available to him by filing an appeal to the appellate authority.

3. This O.A. is filed for setting aside the impugned dismissal order No.158/762/EIC dt.30.6.97 (Annexure-1) issued by Commander Works Engineers (R-1 herein) by holding the same as arbitrary, illegal, violative of CCS(CCA) Rules, 1965 and Articles 14


and 16 of the Constitution of India and principles of natural justice and for a consequential direction to reinstate him in service.

4. The contentions made in this OA are to be considered by the appellate authority who is a quasi judicial authority. We have no doubt in mind that the quasi judicial authority will consider all his contentions fully while disposing of his appeal. Though the Bench can decide this OA, even though the applicant has not availed the alternative remedies available, we feel that the applicant will get a quick relief by appealing against the orders of the dismissal to the appellate authority. To further assist the applicant we also feel that a time bound schedule may be given in this case for disposal of his appeal.

5. In view of the above, the applicant if so advised may file a detailed appeal to the appellate authority including all the available contentions to him within a period of one month from the date of receipt of a copy of the judgement. If such an appeal is received by the concerned appellate authority then that appellate authority should dispose of the appeal in accordance with law giving a detailed ~~xxx~~ speaking order on the contentions raised by him within a period of two months from the date of receipt of that appeal.

6. The OA is ordered accordingly at the admission stage itself. No costs.

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संयोजक अधिकारी 28/8/77
Section Officer
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद/HYDERABAD

REPORT OF THE PRESENTING OFFICER

ATX/481 (60)

I, MES-148238, Sri D Subramani, AS P/3 of GE (North) Secunderabad been appointed by GWE Secunderabad vide order No 158/554/EIC dated 02 May 95 as Presenting Officer to present the case in support of the Articles of charges framed against the individuals listed at appendix 'A'.

The list of documents are presented before the Inquiry Officer is enclosed as Appendix 'B'.

Since the charges are proposed to be proved on documentary evidence and no witnesses are included in the Articles of charges, no witness is being produced. I hereby also produces the Defence Statement submitted by the officials listed in Appendix 'A'.

The individuals listed in Annexure I give their statement before the Inquiry Officer but they refused to sign the statement given by them.

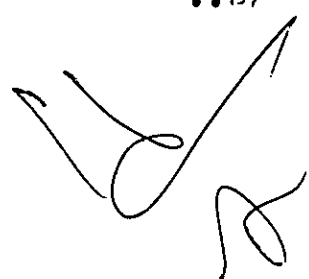
The individuals listed in Annexure II have refused to give their statement and also refused to sign.

Two individuals listed in Annexure III have given their statement and also signed the statement given by them.

All the individuals appeared for the Inquiry have demanded to handover the documents submitted by them at the time of appointment and the requirement was rejected by the Inquiry Officer being official documents as per rule. However the individuals were given opportunity to see the documents submitted by them at the time of appointment, but they refused to see the documents and wanted to handed over to them and the same was rejected.

As per Rule 14(8) of CCS (CCA) Rules 1965, the individuals were given opportunity to employ Defence Assistance by the Inquiry Officer. But none of them employed any Defence Assistance till completion of Oral Inquiry.

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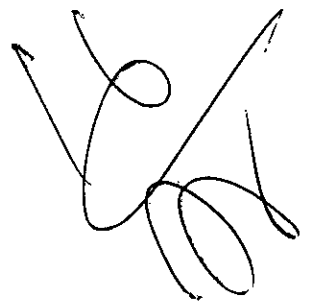
During the Oral Inquiry and presentation of case by the Presenting Officer, the individuals appeared before the Inquiry have admitted that they have received the memorandum of charges and replied to it.

All the individuals before the inquiry stated that they are not guilty against the charges framed against them.

Station : Secunderabad

Dated : 30 Mar 96.

SO/-
CHRI. D. SUBRAMANY
AE P/R
GE (Port) Secunderabad
Presenting Officer.

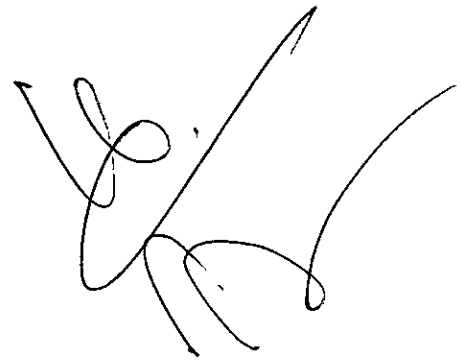


Sl No	Sl No, Name and designation	Unit
1.	MLS/180851 Shri Khaja Ateef Ahmed, Maz	GE (North Secunderabad)
2.	MLS/180840 Shri F Mallecham, Maz	-do-
3.	MEF/180828 Shri M Srinivasa Rao, Maz	-do-
4.	MLS/143385 Shri K Krishna Rao, Maz	-do-
5.	MLS/143384 Shri S Jagdish, Maz	-do-
6.	MLS/143383 Shri B Sanjoova Rao, Maz	-do-
7.	MLS/143376 Shri K Devaiah, Maz	-do-
8.	MLS/143377 Shri D Babu, Maz	-do-
9.	MEF/180862 Shri V Baghuram, Maz	-do-
10.	MEF/143382 Shri D Ganeshwar, Maz	-do-
11.	MLS/143374 A Gopi, Maz	-do-
12.	MEF/143381 Shri D Yadaviri, Maz	-do-
13.	MEF/143387 Shri K Shivalinga, S/Wala	GE (North Secunderabad)
14.	MLS/143373 Shri M Nathaniel, Maz	-do-
15.	MEF/141345 Shri K.C. Srihari, Maz	GE (South Secunderabad)
16.	MEF/141367 Shri G Mohan Reddy, Maz	-do-
17.	MLS/141361 Shri G Vijay Kumar, Maz	-do-
18.	MEF/141363 Shri G Lalraj, Maz	-do-
19.	MEF/141351 Shri P Venkatesh, Maz	-do-
20.	MEF/141362 Shri D Venkateswamy, Maz	-do-
21.	MEF/141355 Shri P Laxminarayana, Maz	-do-
22.	MEF/141365 Shri Satyanarayana, Maz	-do-

Sl. No.	Name and designation	Unit
23.	MLF/141343 Shri B Ramulu, Maz	GE (South) Secunderabad
24.	MLF/141374 Shri G Krishna, Maz	-do-
25.	MLF/141357 Shri S Ravinder, Maz	-do-
26.	MLF/141344 Shri B Ashok, Maz	GE (North) Secunderabad
27.	MLF/141359 Shri K Satyanarayana, Maz	-do-
28.	MLF/141349 Shri K Vijay Kumar, Maz	-do-
29.	MLF/141360 Shri R Ramochi, Maz	-do-
30.	MLF/141353 Shri H Shankar, Maz	-do-
31.	MLF/141331 Shri B Yadaiah, Chowkidar	GE (South) Secunderabad
32.	MLF/141329 Shri K Yadagiri, S/Wala	GE (North) Secunderabad
33.	MLF/144182 Shri V Chandraiah, Maz	GE Golconda
34.	MLF/144185 Shri Mizahmed, Maz	-do-
35.	MLF/140852 Shri Jabbar Ahmed Khan, Maz	-do-
36.	MLF/144183 Shri B Palraj, Maz	-do-
37.	MLF/144420 Shri A Krishna, Maz	-do-
38.	MLF/144132 Shri S Venkateshwar, Maz	-do-
39.	MLF/144431 Shri B Yadagiri, Maz	-do-
40.	MLF/144419 Shri Bappa Rao, Maz	-do-
41.	MLF/144411 Shri Thirjagan, S/Wala	-do-
42.	MLF/141358 Shri Narsing Rao, Maz	GE (P. & R&D) Chandrayangutta

LIST OF DOCUMENTS

1. Letter No H3/3374/91 dated 10 Jan 92 issued by Shri Deepak Kumar Panwar, IAS, Commissioner of Employment and Training.
2. CWE (AF) Secunderabad letter No 12020/136/EIC dated 01 Apr 92.
3. Chief Engr, Hyderabad Zone, Secunderabad letter No 10512/AF/26/141/EIC dated 03 Apr 92.
4. Chief Engineer, Hyderabad Zone, Secunderabad letter No 10543/AF/26/198/EIC dated 24 May 92.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

OA NO: 1354 OF 1997

BETWEEN:

Shri R Appa Rao

..... APPLICANT

AND

1. Chief Engineers (Fy)
Hyderabad
Secunderabad

2. Commander Works Engineers
Mudfort, Secunderabad

.... RESPONDENTS

COUNTER AFFIDAVIT FILED ON BEHALF OF THE RESPONDENTS

1. I, IC-30332Y Col CS Tiwari, S/O Late Shri KD Tiwari aged 41 years, occupation CWE, Secunderabad R/O Secunderabad do hereby solemnly affirm and state as follows :-

2. I am the commander works Engineers, and Respondent No.2 and as such I am fully acquainted with all facts of the case. I am filing this counter affidavit on behalf of all the Respondents having been authorised to do so. The material averments in the OA are denied save those that are specifically admitted hereunder. The applicant is put to strict proof of all such averments except those that are specifically admitted hereunder :-

3. It is submitted that the charges made against the applicant vide charge memo dated 14-3-1995 are :

That the applicant has produced bogus employment registration card at the time of recruitment and the bogus employment registration card contains the Date of birth of the applicant and the School where he has studies and the qualifications, and the same are not tallying with documents held by the employment exchange (Labour) Hyderabad and thus failed to maintain absolute integrity and acted in a manner of

ATTESTER

(P GEORGE JOSEPH)
AE B/R Plg/Adm
CWE (Army),
Secunderabad-3.

DEPONENT

(CS Tiwari)
Col
Commander Works Engineers
Secunderabad

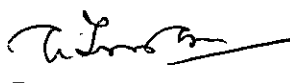
111 (66)

unbecoming of a Government servant thereby he has violated the provisions under Rule - 3(1) and (111) of CCS conduct rules 1964. The basis and evidence of the said allegation is that Sri Deepak Kumar Panwar, IAS Commissioner of Employment and Training, Hyderabad have called for the identity cards submitted by the applicant at the time of recruitment and he has verified that card with the original particulars available with the employment exchange records and thus he find that the particulars mentioned in the employment card produced by the applicant and the particulars dept by the employment exchange are different in respect of date of birth, school of study and qualifications. (Copy of the employment card produced by the applicant is filed as Annexure R-I). The matter came up due to the complaint ~~made~~ made to the Lok Ayukta, Andhra Pradesh alleging illegal solution and on that basis the Commissioner of employment and training made enquiry. A copy of letter dated 10-1-92 is filed as Annexure R-II.

4. In view of the above discrepancy the Commissioner of Employment and Training took up the case with the Secretary, Ministry of Defence, Government of India and requested him to take disciplinary action against the applicant. Accordingly on verification of the documents the Engineer in Chiefs Branch, Armed Headquarters, New Delhi ordered to initiate disciplinary action against the applicant.

5. It is respectfully submitted that pursuant to the charges made against the applicant, he could not prove his innocence but he resorted to all sorts of technical pleas alleging irregularities in the enquiry initiated against the applicant. So far as the basis allegation of producing false employment card is concerned, there is no satisfactory answer from the applicant. It is further respectfully submitted

ATTESTER
(P GEORGE JOSEPH)
AE B/R Plg/Adm
CWE (Army),
Secunderabad-3.



DEPONENT
(CS Tiwari)
Col
Commander Works Engineers
Secunderabad

that in service matters, it is not the mere technical grounds that would vitiate the enquiry and it would be relevant whether any evidence is there or not on record to substantiate the allegations made in the charge-sheet. In this respect, the respondents are relying on the decisions given by the Apex Court reported in AIR 1977 SC 1512 to 1514 State of Haryana Vs Rathom Singh and 1966 SCC(LS) Page 80 B.C. Chaturvedi Vs Union of India and others. The relevant para in Chaturvedi case is para No. 18 which is extracted below:

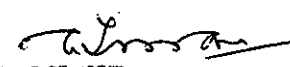
"A review of the above legal position would establish that the disciplinary authority and on appeal the appellate authority, being fact-finding authorities have exclusive power to consider the evidence with a view to maintain discipline. They are invested with the discretion to impose appropriate punishment keeping in view the magnitude or gravity of the misconduct. The High Court/Tribunal, while exercising the power of judicial review, cannot normally substitute its own conclusion on penalty and impose some other penalty. If the punishment imposed by the disciplinary authority or the appellate authority shocks the conscience of the High Court/Tribunal, it would appropriately mould the relief, either directing the disciplinary/appellate authority to reconsider the penalty imposed, or to shorten the litigation, it may itself, in exceptional and rare cases, impose appropriate punishment with cogent reasons in support thereof."

In the instant case the Hon'ble Tribunal may appreciate the allegation against the applicant is of serious nature and it cannot be a nominal mis-conduct/offence committed by the applicant.

ATTESTER


(P GEORGE JOSEPH)
AE B/R Plg/Adm
CWE (Army),
Secunderabad-3.

DEPONENT

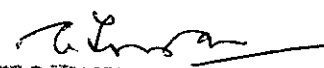

(CS Tiwari)
Col
Commander Works Engineers
Secunderabad

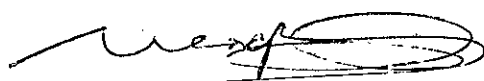
6. It is further submitted that the applicant has submitted an appeal dated 5th August 1997 to the appellate authority raising several grounds. The appellate authority vide its order dated 30th September 1997 has answered all the main grounds raised in the appeal by the following:

- (a) The inquiry officer conducted inquiry for each individual separately as envisaged in Sub Rule (2) of Rule 14 of CCS(CO&A), Rules 1965 only and did not enforce Rule 18 of CCS(CO&A) Rules 1965.
- (b) In case the Charged Official was in need or he really required any of the documents, he could have requested the Inquiry Officer during Inquiry for the same, which he has not done, which could be seen from Inquiry report/proceedings.
- (c) The fact is that the documents of date of birth/school and qualifications submitted by the Charged Official at the time of initial appointment are not tallying with the records maintained/available in Employment Exchange. It may be seen that the spirit of the charge has not been diluted.
- (d) The Inquiry officer had asked the charged official only the relevant questions and not incriminating questions as could be seen from the daily order sheet dated 01-3-1996.
- (e) The action taken by the Disciplinary authority in issuing the order of dismissal is based on facts and after carefully going into the details of the whole case, which is well within the provisions of CCS(CO&A), Rules 1965.

So the contentions raised in the appeal are again reiterated in the present OA without any basis.

ATTESTER


DEPONENT


(P GEORGE JOSEPH)
AE B/R Plg/Adm
CWE (Army),
Secunderabad-3.

(CS Tiwari)
Col
Commander Works Engineers
Secunderabad

7. In reply to Para 6(a) of OA, it is submitted that the statement made by the applicant that the requisition was sent by the 2nd Respondent is incorrect. The requisition was sent by Commander Works Engineers (Air Force), Secunderabad vide their letter No. 11075/658/E1B dated 30 Jul. 87 and 11075/661/E1B dated 30 July 1987. Copies of the said letters are filed herewith as Annexure RIII and RIV. List of candidates was sent to commander Works Engineers (Air Force), Secunderabad by Department of Employment and Training vide their letter No. G/536/87 dated 16 Sept. 1987.

8. In reply to para 6(D) of OA, it is submitted that it is true that no educational qualification was required for recruitment for Mazdoor. However they should have been within 25 years of age and physically fit and healthy, Interview and selection was carried out by Commander Works Engineers (Air Force), Secunderabad and not by the Respondent, as contended by the applicant. A copy of Board Proceedings is filed herewith as Annexure RV.

9. In reply to para 6(c) of OA, it submitted that the appointment was issued by the 2nd Respondent and as per para 2(e) of the appointment order the candidates were asked to produce the original documents in support of age, educational qualifications, caste etc. From the above, it could be seen that no specific qualifications was asked for from the Respondents but they have may proof of their age. At the time of selection/interview the applicant did produce school certificate from the school authorities for proof of age. In this connection, a copy of transfer certificate issued by the school authority is filed herewith as Annexure R vi.

ATTESTER



(P GEORGE JOSEPH)
AE B/R Plg/Adm
CWE (Army),
Secunderabad-3.


DEPONENT

(CS Tiwari)
Col
Commander Works Engineers
Secunderabad

10. In reply to para 6(d) of OA, it is submitted that it is true that the applicant produced school transfer certificate first at the time of interview and then at the time of appointment. Their pleas that department insisted for ~~an~~ educational qualification is incorrect. It is therefore beyond doubt that the candidates produced bogus certificates for proof of their age and thereby secured the appointment in the department.

para 2(k) of the appointment order (copy filed as Annexure R-VII read as follows :-

"If any information given or declaration furnished by you proves to be false or if you are found to have wilfully suppressed any materials/information, you will be liable for removal from service and such other action as deemed fit will be taken against you."

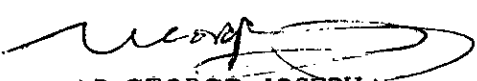
It is submitted that the contention of the applicant that he did not have any documents to produce and to explain his case is not tenable. It is the bounden duty of an employee to prove his bonafides whenever his bonafides are in question. In the instant case, the allegation is that the applicant need not have any answer except to raise baseless grounds.

11. In reply to para 6(f) of OA, it is submitted that the contention of the applicant is that the order dated 30th June 1997 was illegal is baseless and it is not in violation of the Article 14, 16 and 21 of the Constitution.

12. In reply to para 6(g, h and i) of OA, it is true that the applicant has filed OA No:913 of 1997 on the file of this Hon'ble Tribunal and the same was disposed off with directions to dispose off the appeal if submitted by the applicant and the same was complied with by the respondents by an order dated 30th September 1997 by answering the grounds raised by the applicant.

ATTESTER


DEPONENT


(P GEORGE JOSEPH)
AE B/R Plg/Adm
CWE (Army),
Secunderabad-3.

(CS Tiwari)
Col
Commander Works Engineers
Secunderabad

13. In reply to para 6 (j & k) of OA, it is submitted that the contention of the applicant that the appellate authority has not applied his mind is totally false and denied. The appellate authority has passed a speaking order dated 30 th September 1997 by considering all the points raised by the applicant in his appeal as stated supra and the other contentions raised in this para are baseless and not tenable and Judgement cited by the applicant in this para is not applicable to the present case.

14. In reply to para 6(L) of OA, it is submitted that the contentions made in this para are not true and this was answered by the appellate authority order dated 20 th September 1997. The applicant did not make a request for the perusal of the documents which he requires during the enquiry and the contentions contrary to the above fact is not tenable.

15. In reply to para 6(M) of OA, it is submitted that the contentions raised in this para are already considered by the appellate authority. The charges made against the applicant were proved beyond doubt. If the applicant is having any evidence to show that the charges are false, he could have done so before the enquiry authority. However the applicant failed to do so but raising baseless and untenable grounds in the present OA and the same is not tenable. It is not true that the contention of the applicant that the charges levelled against the applicant in the charge memo and the charges referred to in the dismissal order are different one. As stated above the main allegation against the applicant is that he has secured employment in the respondent organisation with bogus employment card which contains vital particulars like date of birth, educational qualifications etc.

16. In reply to para 6(N) of OA, it is submitted that as stated supra whether any evidence is there or not on the record to prove the guiltiness of the employee in service matters and

(P GEORGE JOSEPH)
AE-P/R P/C/Adm.
ATTESTER CWE (Army),
Secunderabad-3.

OPONENT
(CS Tiwarl)
Col
Commander Works Engineers

it is not the technical grounds that would weigh to decide the matter. In the present case the applicant did not answer the main allegation made by the respondents and simply raising some technical and untenable grounds. Hence the contentions in this para are not tenable.

17. In reply to para 6(O) of OA, it is submitted that the decisions cited in this para are not relevant to the facts and circumstances of the case. The other contention that the competent authority did not apply his mind and surrendered his jurisdiction to the higher authority is not correct. It is not true to say that the disciplinary authority had already come to a conclusion about the ~~an~~ punishment while forwarding a copy of the enquiry report.

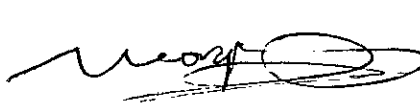
18. In reply to para 7(P), it is submitted that the contentions raised in this para are already answered in the paras stated supra.

19. In reply to para (Q), it is submitted that the disciplinary order and the appellate order are in order and there is no violation of rules and thus orders are based on the evidence available on record against the basic charge of producing bogus certificates.

20. It is respectfully submitted that it is true that the applicant was working till the day of dismissal from service. The contention of the applicant that the MES Union has hand in the dismissal of the applicant from service is baseless. There is no prejudice caused to the applicant for delay in conducting

ATTESTER

DEPONENT



(P GEORGE JOSEPH)
AE B/R Plg/Adm
CWE (Army),
Secunderabad-3.



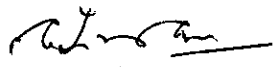
(CS Tiwari)
Col
Commander Works Engineers
Secunderabad

the enquiry since the applicant was continued in service till he was removed from service. When the school certificate is produced in proof of age there is no necessity for medical officer certificate for the same.

In view of the above submissions, there are no merits in the OA. The Hon'ble Tribunal may be pleased to dismiss the OA.

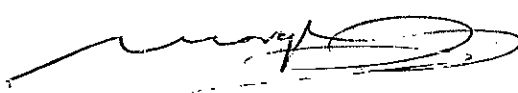
DEPONENT

Solemnly sworn and signed his
name on this day of January
1998 before me.


(CS Tiwari)
Col
Commander Works Engineers
Secunderabad

BEFORE ME

ATTESTER


(P GEORGE JOSEPH)
AE B/R Plg/Adm
CWE (Army),
Secunderabad-3.

74

BRING THIS CARD WITH YOU WHEN YOU COME TO THE
OFFICE OF THE EMPLOYMENT OFFICER
DO NOT SEND THIS CARD TO ANY OTHER OFFICE
A POSTAGE STAMP IS REQUIRED WHEN YOU NO LONGER HAVE EMPLOYMENT
NOTE: - This card is valid only for the purpose of securing
special employment, if any.

GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF EMPLOYMENT
IDENTITY CARD
EX-10 (Revised)

EMPLOYMENT OFFICER
HYDERABAD

NEW 500,000
EMPLOYMENT OFFICER
HYDERABAD
EX-10 (Revised)

IDENTITY CARD
GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT OF EMPLOYMENT
Name of Applicant: A. A. D. D.

Special Employment, if any:

Notes: - This card is valid only for the purpose of securing
special employment, if any. A POSTAGE STAMP IS REQUIRED
WHEN YOU NO LONGER HAVE EMPLOYMENT.
DO NOT SEND THIS CARD TO ANY OTHER OFFICE.
BRING THIS CARD WITH YOU WHEN YOU COME TO THE
OFFICE OF THE EMPLOYMENT OFFICER.

Government of Andhra Pradesh

From:
Sri Deepak Kumar Panwar, I.A.S.,
Commissioner of Employment and
Training, 3rd floor, 'D' Block,
BRKR Government Offices Complex,
Tankbund Road, Hyderabad-29.

To
The Secretary,
Ministry of Defence,
Government of India,
New Delhi.

Letter No. N3/3874/91, dated 10-1-92.

Sir,

Sub:- Recruitment of Mazdoors at Military
Engineering Services, Air Force, Mudfort -
Regarding.

Ref:- Commander Works Engineer (AF) Mudfort,
Secunderabad - notification of vacancies of
Mazdoormates, Safaiwala & Watchmen
vide 11075/658/B, dated 30-7-87.

The Lok Ayukta, Andhra Pradesh, Hyderabad forwarded a complaint with regard to appointments made by Commander Works Engineer, MES, Mudfort, Secunderabad. The Regional Employment Officer, Hyderabad enquired into the matter. From the Regional Employment Officer's report it is observed that the Commander Works Engineer, MES, Mudfort, Secunderabad notified 60 vacancies of Mazdoormates, 5 vacancies of Safaiwala and 11 vacancies of Watchman to the District Employment Officer (Labour) Hyderabad vide letter No. 11075/658/313, dated 30-7-87. Against these notified vacancies candidates were sponsored by the District Employment Officer (Labour), Hyderabad in separate lists dated from 7-9-87 to 23-10-87. It was informed by the Superintending Engineer CME (AF) that about 135 candidates were selected and appointment orders were issued and the candidates were allotted to the Air Force Academy (Dundigal) and Air Force Station at Mudfort. After discussing the issue, Sri A.R. Benerji the then Superintending Engineer, agreed to call the selected candidates and called the candidates on 9-5-88 and 12-5-88 for verification of genuineness of the selected candidates. On the above two dates only 52 have reported and out of them 21 candidates were selected and appointed by producing bogus identity cards/bonus certificates. With regard to calling the remaining selected candidates the Superintending Engineer, CME informed that he would not call the next batch of selected candidates unless he receives permission from the Chief Engineer, Secunderabad. And on taking up the issue with the Chief Engineer, Project and Factories, Parade Grounds, Secunderabad the remaining selected candidates were called for verification on 30-5-88. Out of the total of 135 candidates selected 10 candidates did not report at all for verification of the genuineness of the identity cards/certificates etc. Out of those reported for verification, in respect of 68 cases it is observed that either father's name or other particulars did not tally with Employment Exchange records or they have produced identity cards bearing forged signatures of Employment Officers.

I request you to arrange to remove the persons who were found to be not genuine (list enclosed) and fill the vacancies by genuine persons through the Employment Exchange.

Yours faithfully,

for Commissioner.

Encl: (as above)

Smt Daisy H.
note before

DRB
Enc's BIC
may please see
and furnish
report.

EC 28/1/92
2/2/92

Ch TE
Pl use for
his report for
CSC

20

Immediate action

1.

2.

3.

4.

12. B. Appa Rao

US/134/77

Though the particulars produced by candidate tallied with duplicate A-1 it is a manipulated case since the original A-1 is available compared to the particulars in original A-1, the date of birth/school and qualifications are entire different from original A-1.

13. R. Yadagiri

US/296/77

Qualifications/name of school/caste as produced by the candidate are not tallying with those on duplicate A-1/list.

14. H. Yadaiah

US/512/77

X-10 bogus, father's name/date of birth/school/caste produced by the candidate are not tallying with those on A-1 even after changes effected and included in the list.

15. A. Gopi

US/891/77

Date of birth, father's name/name of school not tallying with A-1/list.

16. R. Shankar

US/821/77

Father's name, school name not tallying with duplicate A-1 as well as original A-1.

17. D. Gnaneshwar

US/957/77

Name of school where studied castes as per certificate produced by candidate are not tallying with those on duplicate A-1.

18. K. Vijaykumar

US/1659/77

X-10 bogus date of registration, as given in the duplicate A-10 i.e. 16-11-77 is not tallying with A-63. The date of registration should be 18-4-77.

19. K. Satyanarayana

US/2233/77

Father's name/caste school not tallying with A-1/list.

20. B. Ashok

US/205/78

Father's name/caste/school as per TC and other certificates produced by candidate are not tallying with A-1/list.

21. R. Yadagiri

US/153/77

X-10 bogus registration No. US/1542/25 was staped on the TC produced by the candidate. As such regn. No. does not pertaining to this candidate.

22. A. Krishna

OC/334/78

Father's name as per TC produced by candidate not tallying with A-1.

Statement showing the cases for which either X-10s produced by candidates bears forged signature of Employment Officers or particulars of Father's name, school/caste/class/Date of birth etc. do not tally with those available at District Employment Exchange (Labour) Hyderabad.

Sl. No.	Name	Regn. No.	Particulars
1.	G. Sivaliah	CC No. 534/87 US/1538/75	Father's name not tallied
2.	M. Nathaniel	CC No. 537/87 US/29163/78	X-10 bogus bears registration date as 3-5-78 instead of 30-9-78 as per X-63.
3.	B. Krishna	CC No. 538/87 US/Pr/248/81	Photo available in X-1 is not tallying with the person who reported.
4.	Taljaran	CC/G/539/87 CC/729/76	X-10 bogus, father's name, date of birth, caste/qualifications etc. not tallying.
5.	K. Shiva ingam	US/9997/76	Date of birth name of school do not tally with X-1.
6.	CC/G/538/87 K. Yadagiri	CC/G/532/87 US/2796/80	Bogus X-10 school father's name not tallying with X-1.
7.	CB. Yadaiah	CC/G/533/87 US/12485/78	X-10 bears forged signature of Employment Officer.
8.	T. Satyanarayana	CC/3515/76	X-10 bogus
9.	CC/G/536/87 US/11507/75	P. Sree Ramulu	Qualifications as per T.C. produced by candidate is not tallying with duplicate X-1 of the list.
10.	M. Shankar	US/3582/76	Date of birth & qualifications of the candidate as per particulars produced by him are not tallying with duplicate X-1 and list.
11.	V. Rajeshwar	US/15666/76	X-10 bogus father's name, qualifications, name of school as per T.C. produced by candidate are not tallying with those recorded in duplicate X-1.

p.t.o.

To

The District Employment Officer (Labour)

Matha Employment Exchange

H.No. 1-8-522/10, Chikmagalur

BIO Cross Road, Mithirabad

Hyderabad-500 020

HYPERVIX A FORM AND MANNER OF NOTIFICATION OF VACANCIES

77

(Prescribed under Rule 14 (1) of Employment Exchange category notification of vacancies) Rule 1230.

The vacancies will be notified in writing to the appropriate employment exchange and the following particulars shall be furnished in respect of each type of vacancy.

1. Name and address of the employer
2. Telephone No. of the employer if any
3. Nature of vacancy
4. Type of work required (Design)
5. Description of duties
6. Qualifications required
7. Age limit if any
8. Whether women are eligible
9. Regular/Temporary
10. No. of vacancies
11. Pay and allowances
12. Place of work
13. Probable date by which the vacancy will be filled.
14. Particulars regarding interview/test
15. Date of interview/test
16. Time of interview/test
17. Place of interview
18. Designation and address, person to whom applicant should report.
19. Whether there is any obligation of arrangement for giving preference to any category of persons such as SC/ST/Ex-servicemen and physically handicapped persons in filling the vacancies and if so the No. of vacancies are to be filled by such categories of persons.

Military Engineer Service
Commander Works Engineers (AF)
Madfort, Secunderabad-500005

7 4 2 0 0
M A 2 P 0 0 R ✓

Labour work.

-do-

Must have good physique.

25 Years

Not eligible.

Regular/Temporary

70 (Seventy) i.e.
80 = 11 (Eleven) ✓
82 = 4 (Four) ✓
Ex-servicemen = 10 (Ten) ✓

Then
No. 780012-470-45 (Forty five)

Secunderabad/Hyderabad

Immediately.

Oral/physical fitness.

Aug '87

1000 Hrs

Commander Works Engineers (AF)
Madfort, Secunderabad-3

-do- -do-

Details shown against serial No. 10 above.

REGISTERED ACK FILE
11578/ 658 /EIE
Commander Works Engineers (AF)
Madfort, Secunderabad-3
30 Jul '87

(O Greenivasulu)
Adm Offr
for Commander Works Engineers (AF)

P.T.O.

70

The District Employment Officer (Labour)
District Employment Exchange
Rangaroddy District
Begumpet, Hyderabad

APPENDIX 'B' FORM AND MANNER OF NOTIFICATION OF VACANCIES

(78)

Prescribed under Rule 14 (1) of Employment Exchange Category Notification of Vacancies) Rule 1960.

The vacancies will be notified in writing to the appropriate employment exchange and the following particulars shall be furnished in respect of each type of vacancy.

1. Name and Address of the Employer : Military Engineer Service
Commander Works Engineers
(Air Force) Madfort,
Secunderabad-500005
2. Telephone No. of the Employer if any : 7 4 2 0 8
3. Nature of vacancy : H A Z D O O R
4. Type of work required (Design) : Labour Work
5. Description of duties : -do-
6. Qualifications required : Must have good physique.
7. Age limit if any : 25 Years
8. Whether women are eligible : Not eligible.
9. Regular/Temporary : Regular/Temporary
10. No. of vacancies : 71 (Seventy one)

1.0.	SO	-	12 (Twelve)
	SE	-	4 (Four)
	Ex-ser-	-	10 (Ten)
	viceman.		
	General	-	45 (Forty five)
11. Pay and allowances : Rs. 750-12-770-13-14-040
12. Place of work : Secunderabad/Hyderabad (DUNDIG)
13. Probable date by which the vacancy will be filled. : Immediately.
14. Particulars regarding interview/test : Oral/Physical fitness.
15. Date of interview/test : Aug '87
16. Time of interview/test : 1000 Hrs.
17. Place of interview : Commander Works Engineers (AF)
Madfort, Secunderabad-500005
18. Designation and address, persons to whom applicant should report. : -do- -do-
19. Whether there is any obligation of arrangement for giving preference to any category of persons such as SO/SE/Ex-serviceman and physically handicapped persons in filling up the vacancies and if so the No. of vacancies are to be filled by each categories of persons. : Details shown against serial No. 10 above.

REGISTERED ACK ENB

11075/66.1 /R1B
Commander Works Engrs (AF)
Madfort, Secunderabad-5

(O Sreenivasulu)

Adm Offr

For Commander Works Engineers (AF)

30.7.87

In Lieu of IAD - 931

Proceedings of a

Assembled at

On the

By the order of

For the purpose of

- 1. Board of Officers.
- 2. Office of CWE (AF) Madfort Secunderabad - 3.
- 3. 16 Nov '87 and subsequent days.
- 4. CWE (AF) Secunderabad vide Convening Order No 11075/D/32/87 dated 06 Nov '87 (OO No. 107 dated 06 Nov '87) and letter No 11075/D/79/EIB dt 11 Dec '87.
- 5. Selecting the candidates for appointment of Mazdoors, Chawkidars, Safaiwallas, IPA, Carpenters, Linemen, Meter Reader, Vehicle Mech, Wireman, Fitter, Cane weaver, SDA, Upholster and MT Drivers.

Presiding Officer : MES-105102 Shri K Sankaranarayanan
PCWE D/R of CWE (AF) Secunderabad.

- Members :
1. MES-300150 Shri V P Sannak, BE
CE (South) Secunderabad.
 2. MES-303405 Shri Ram Kishan, AE E/M
AGE E/M of CE (AF) Secunderabad.

1. The Board having assembled pursuant to order proceed to select the candidates for appointment as Mazdoors (Sec'bad/ Hyderabad), Mazdoors for Elder, Chowkider, Safaiwala, IPA, Carpenter, Linemen, Meter Reader, Vehicle Mechanic, Wireman, Fitter, Cane-weaver, SDA, Up-holster and MT Driver.

. . . P/2

2. The number of vacancies for various categories are as under :-

Sl No	Categories	Vacancies					Total
		Gen	SC	ST	Ex-Ser	PH	
(a)	Mazdoors (Sec'bad/Hyd)	77	23	8	22	5	141
(b)	Mazdoors (Bidar)	5	2	1	2	-	10
(c)	Chowkidar	3	4	2	2	-	16
(d)	Safaiwala	3	-	-	2	-	5
(e)	M P A	7	2	1	-	-	10
(f)	Carpenter	7	2	2	1	-	12
(g)	Lanman	2	1	1	-	-	4
(h)	Meter Reader	1	2	-	-	-	3
(j)	Vehicle Mech	1	2	-	-	-	3
(k)	Wireman	2	1	1	-	-	5
(l)	Fitter	2	1	-	-	-	3
(m)	Cane Weaver (for Blind)	2	2	1	-	-	5
(n)	S B A	7	2	2	-	-	11
(o)	Upholster	2	1	-	-	-	3
(p)	MT Driver	-	1	-	-	-	1

3. The candidates sponsored by the Employment Exchange, Hyderabad, MR District, Physically Handicaped, Zilla Sahas Board and Bidar have been trade tested for recruitment.

P/3

12

[Signature]

FINDINGS

4. Number of candidates selected for appointment including reserve is as under :-

Sl No	Category	Gen	SC	ST	Ex-Ser	PH	Total
(a)	Mazdoor (See'bad/Hyd)	130	31	11	14	5	191
(b)	Mazdoor (Bidar)	10	3	2	-	-	15
(c)	Chowkidar	11	6	3	3	-	23
(d)	Safaiwala	4	-	-	3	-	7
(e)	M P A	9	3	1	-	-	13
(f)	Carpenter	11	3	-	-	-	14
(g)	Lineman	3	2	-	-	-	5
(h)	Motor Reader	2	3	-	-	-	5
(j)	Vehicle Mechanic	-	-	-	Not Sponsored	-	-
(k)	Wireman	3	1	-	-	-	4
(l)	Fitter	-	-	-	Not Sponsored	-	-
(m)	Cane Weaver	4	3	-	-	-	7
(n)	S B A	1	2	-	-	-	3
(o)	Upholster	-	-	-	Not Sponsored	-	-
(p)	MT Driver	-	-	-	Not Sponsored	-	-

P/A

P

12

RECOMMENDATIONS

5. The selected candidates as per Appendices and Annexures mentioned below are recommended for appointment strictly in order of merit and in accordance with the hundred point roster subject to required verification as per existing rules/instructions :-

(a) Mazdoor (Sec'bad/Hyderabad)	- Appendix 'A' (Annex I to V)
(b) Mazdoor (Bidar)	- Appendix 'B' (Annex I to V)
(c) Chowkidar	- Appendix 'C' (Annex I to V)
(d) Safaiwala	- Appendix 'D' (Annex I to V)
(e) M P A	- Appendix 'E' (Annex I to V)
(f) Carpenter	- Appendix 'F' (Annex I to V)
(g) Lineman	- Appendix 'G' (Annex I to V)
(h) Meter Reader	- Appendix 'H' (Annex I to V)
(i) Wireman	- Appendix 'J' (Annex I to V)
(k) Cane Weaver	- Appendix 'K' (Annex I to V)
(l) S B A	- Appendix 'L' (Annex I to V)

6. Candidates for the following categories have not been sponsored by Employment Exchange and hence not selected:-

- Vehicle Mechanic.
- Fitter.
- Upholster.
- MT Driver.

Presiding officer :

(H. Chakravarthy, EE
AGG E/M of CBE (AF) Secunderabad.

Members :

1.

(V. P. Ramesh, EE
AGG E/M of CBE (AF) Secunderabad.

2.

(Ram Krishan, AGG E/M
AGG E/M of CBE (AF) Secunderabad.

(AR Banerjee)

SE

Commander Works Engineers (AF)
Secunderabad

MERIT LIST

List of General Candidates for the post of Mazdoor

Merit Srl No.	Srl No. of Annex.	Name of Candidate	Remarks
1	1	Shri P SriRamulu	Srl No. 1 to 91 Selected against vacancy of Gen-77 and ex-Ser-14
2	2	Sh. Yellalaiah	
3	4	Sh. M. Shanker	
4	5	Sh. V. Rajeshwar	
5	6	Sh. R. Appa Rao	Srl No. 92 to 130 Selected against a reserve of Gen/ Ex-Ser/PH.
6	7	Sh. R. Madagiri	
7	8	Sh. Mohd Khasim	
8	9	Sh. M Yadaiah	
9	11	Sh. A Gopi	
10	12	Sh. R Ramesh	
11	13	Sh. D Gyaneshwar	
12	14	Sh. K. Vijay Kumar	
13	15	Sh. Anjalaiah	
14	17	Sh. K. Paremeshwar	
15	18	Sh. K. Satayanarayana	
16	19	Sh. B Ashok	
17	20	Sh. A Krishna	
18	21	Sh. Q Ibrahim	
19	22	Sh. Narsing Rao	
20	23	Sh. M. Narsimha	
21	24	Sh. K. Mutyam Reddy	
22	35	Sh. V Raghu Ram	
23	27	Sh. H. Ramulu	
24	28	Sh. Ganesh	
25	29	Sh. P. Vishnu	
26	31	Sh. B Sudekshan	

.....2/-

1	2	3	4
27	34	Shri K Babu Rao	
28	35	" M Gopal	
29	36	" B Ravender	
30	38	" K Narahari	
31	45	" R Nagheshwar Rao	
32	46	" Mohd Gouse Mohiuddin	
33	47	" K Sathyanarayana	
34	48	" M Krishna	
35	54	" K Jagannathan	
36	55	" K Srinivas	
37	55-A	" Khadar Mohiuddin	
38	56	" Mohd Karimuddin	
39	66	" C Mahesh	
40	62	" P Malleshham	
41	66	" Syed Mahboob Ahmad	
42	68	" B Ramulu	
43	69	" M Satyanarayana	
44	73	" Harning Rao	
45	74	" P Lakshminarayana	
46	76	" Venkat Suresh	
47	76	" S Jagdish	
48	77	" S Ravi Chandran	
49	78	" V Raju	
50	79	" Abdul Majeed Khan	
51	80	" N Jengaliah	
52	82	" D Rajuahanik	
53	84	" P Venkatesh	
54	86	" George Balraj	
55	87	" Gulam Rasool Sabar	

1	2	3	4
56	xxxxxx 87	Shri G Mohan Reddy	
	90		
57	92	" Pedda Palli Ramesh	
58	93	" J Ravender	
59	94	" G Lingam	
60	96	" Balraj	
61	100	" Krishna Rao	
62	101	" Khaja Hussain	
63	104	" Mirza Abbas Baig	
64	106	" Tadkala Prasad	
65	109	" S Ram Chandrasekh	
66	111	" Srinivas Rao	
67	113	" T Anand Rao	SC
68	115	" P. Shekhar	
69	116	" S Srinivasan	
70	117	" P Hallaswamy	
71	118	" K Gautam Buddhu	SC
72	120	" B Srihari	
73	121	" Khaja Ataq Ahmed	
74	122	" Linka Murthy	
75	123	" Shaik Osman	
76	124	" Jabar Ahmed Khan	
77	125	" Rafiq Ahmed	
78	126	" Syed Hassan	
79	127	" Kota Ravender	
80	128	" G Vedson	
81	129	" Miaz Ahmed	
82	130	" V.G. Satyanarayana	
83	131	" K.S. Srihari	SC
84	81	" B Yadalah	SC
85	83	" B Lyman	

	2	3	4
86 .	89	Shri G. Vijaya Kumar	SC
87.	163	" Matha Matha Chilla Nioi	SC
88.	135	" N Harsimha Narayana	SC
89	136	" V Chandralah	
90	139	" M Harsing Rao	SC
91	145	" M Hagesh	SC
92	134	" D Ashok	
93	140	" R Bhaskar Goud	
94	148	" G Krishna	
95	85	" K Sudhakar	SC
96	88	" D K Raghu Ram	SC
97	91	" H P Surender	SC
98	95	" B Krishna Swamy	SC
99	97	" Galli Palli Harsimha	SC
100	98	" AD Nagarajan	SC
101	99	" K Kashalah	SC
102	102	" K Laxminarayan	SC
103	103	" Harsing Rao	SC
104	105	" D Surender Babu	SC
105	107	" G Venkateshwaralu	SC
106	108	" A Gopal	SC
107	110	" Ravelli Satyanarayana	SC
108	112	" J H Vivakanand	SC
109	114	" S Ashok	SC
110	132	" M Yellalah	SC
111	133	" D Mahender	SC
112	137	" K Lakshman	SC
113	138	" K Ramu	SC
114	141	" P Hanohar	SC

1	2	3	4
115	142	Shri B Satyanarayana	SC
116	143	" K. Yadaiah	SC
117	144	" K Shankar	SC
118	145	" U. Eshwarajah	SC
119	147	" B.R. Shivarama	SC
120	149	" C Balraj	SC
121	150	" S Yadaiah	SC
122	151	" K Balaramiah	SC
123	152	" D N Harshing Rao	SC
124	153	" M.P. Shankar	SC
125	154	" A Suresh	SC
126	155	" N Mallesh	SC
127	156	" K Venkata Krishna	SC
128	157	" K Somiah	SC
129	158	" B Hanumantha	SC
130	159	" N Illaiah	SC

Total One hundred thirty only

Presiding officer (K. Bandharam)
DCCE B/R

Members

1. (P. Sunna)
GE (S) Secy

2. (Ram Krishna)
AGE E/M &
GE (AF) Secy

MERIT LIST

List of Schedule Caste Candidates for the
post of Mazdoor

Merit Srl. No.	Srl No. of Annex.	Name of Candidate	Remarks
1	3	Shri B. Elisha	Srl No. 1 to 23 Selected against vacancy of SC - 23 Nos
2	10	" M. Krishna	
3	16	" Gopal	
4	26	" R Harsimha	
5	30	" J R Ravender Kumar	
6	33	" P Dharma Raju	
7	37	" J. Ramesh Kumar	
8	39	" Shyam Rao	
9	40	" K Vinayak Rao	
10	41	" D Ashok Kumar	
11	42	" B Babu	Srl No. 24 to 31 Selected as reserve
12	43	" H Yadagiri	
13	49	" B Ramesh Kumar	
14	50	" S Ravender	
15	51	" K Devalah	
16	52	" M Swamy	
17	53	" B Sanjeeva Rao	
18	57	" G Krishna	
19	58	" K Rajender Prasad	
20	59	" Raja Mallaiiah	
21	61	" G Vinod Kumar	
22	63	" S Ramesh Babu	
23	64	" N Prem Kumar	
24	65	" A Ashok Kumar	
25	67	" B Y Pradeep Kumar	
26	70	" B Prabhakaran	
27	71	" P Satyanarayana	

Srl No. 24 to 31
Selected as reserve

.....2/0

1	2	3	4
28.	72	Shri Shyam Rao	
29.	160	" A Mohan Rao	
30	162	" P Chennamaiah	
31	164	" A Gandhi Lala	

Total 31 Nos only

Presiding Officer

(K Sankaranarayanan, EE)
DCWE B/R

Members

1. (V P Sundar, EE)
GE (S) Secunderabad

2. (Ram Kishan, AGE EE/R)
GE (AF) Secunderabad

MERIT LISTList of Ex-Servicemen for the post of Mazdoor

Sl No	Sl No of Annexa	Name	Remarks
1.	176	Rect.Sp. Madervalli	Selected.
2.	177	Nk. Venkataiah	
3.	178	Gnr. Hema Sunder	
4.	179	Nk. P. Jayaseelan	
5.	180	Sep Nk. Chandra Kumar	
6.	181	Nk. Emmanuel	
7.	184	Hav K. Venkat Ram	
8.	186	Sep. T. Venkateshwaralu	
9.	189	L/Nk Jai Ram	
10.	182	Sep G Mohan Reddy	
11.	183	Cfn. K Narsing Murthy	
12.	185	Hav M.C. Gayali	
13.	187	Nk. Tungnath	
14.	188	Hav Y Rengaiiah	

Total Fourteen only.

Presiding Officer

(K Sankaranarayanan, EE)
 DCWE B/R
 CME (AF) Secunderabad

Members

1. (V P Sunnak, EE)
 GS South Secunderabad

2. (Ram Kishan, AGE E/H)
 GS (AF) Secunderabad

MERIT LIST

List of physically handicapped candidates
for the post of Inspector

Sl No	Sl No of Annexure	Name	Remarks
1	190	Shri R Bala Subramanyam	Selected
2	192	Shri K Mohan Reddy	
3	194	Shri R Srinivas	
4	191	Shri R Prem Kumar	
5	193	Shri B Ravi Babu	

Total five only

Presiding Officer

(K Sankaranarayanan, M
ICWE B/H
CBE (AF) Secunderabad

Members

1.

(V/P Sundak, BE)
GE South Secunderabad

2.

(Ram Kishan)
AOE E/H (AF)
GE (AF) Secunderabad

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Appendix III

(Annexure - II)

MERIT LIST

LIST OF GENERAL/SC/ST/BC-SERVICE/ANY DEARLY HANDICAPPED CANDIDATES SHORTLISTED FOR THE POST OF NAZARU

S.No. Sl. No. & Date of Interview	Name & Address of the candidate	Date of Birth	Educational Qualifications	Service Station if any	Marks	Page Marks Ob- tained in se- lected test	Remarks
1.	01 - 16 Nov 87	Shri P. Sai Ramulu 6-2-832 Khairatabad Hyderabad.	20.5.64	7th	1	75	C
2.	02 - 16 Nov 87	Shri Velloch 1-2-212/A/4 Domalguda Hyderabad.	10.9.63	8th	2	70	C
3.	03 - 16 Nov 87	Shri B. Elisha 6-3-588/32/5 Gandhinagar Nagar Khairatabad Hyderabad-253.	21.4.62	8th	3	70	SC
4.	04 - 16 Nov 87	Shri M. Shankar 16-1-337/202, Arundati Nagar Uppuguda Hyderabad-253.	15.10.64	8th	4	70	C
5.	07 - 16 Nov 87	Shri V. Rajeshwar 12-1-59/1, Old Malloppally Hyderabad.	16.5.63	Ord	5	70	C
6.	08 - 16 Nov 87	Shri R. Jaya Rao 3-16/1, Mohd Ali	27.12.63	7th	6	70	C

7. 10 - 16 Nov 87

8. 11 - 16 Nov 87

9. 12 - 16 Nov 87

10. 13 - 16 Nov 87

11. 15 - 16 Nov 87

12. 16 - 16 Nov 87

13. 17 - 16 Nov 87

14. 18 - 16 Nov 87

Shri R. Vagstad
18-1-314, Shivaji Nagar
Secunderabad.

Shri Mohd. Khushin
13/14 B.No.22
HBS quarters
Sappers Line,
Secunderabad.

Shri M. Taddeiah
12-11-197/3 Karambida
Secunderabad.

Shri M. Krishna
12-1-337/33
Arundati Nagar Colony
Uppurda
Hyderabad.

Shri A. Gopi
19-40, Subash Nagar
Secunderabad.

Shri R. Ramash
12-11-197, Karambida
Secunderabad

Shri B. Ganesht
12-2-440/3, Lalithabagh
Uppurda, Hyderabad.

Shri K. Vijay Kumar
SRT 69, Jawahar Nagar
Chinnabpally
Hyderabad.

1	2	3	4	5	6	7	8	9
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14.7.64 5th

15.1.63 7th

15.6.63 8th

10.8.63 6th

8.1.64 5th

11.7.64 5th

16.3.63 4th

15.1.64 3rd

30.1.66 6th

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10 10 10 10 10 10 10 10 10

10 10 10 10 10 10 10 10 10

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1	2	3	4	5	6	7	8	9
16.	21 - 13 Nov 87	Shri Gopal 3-13-140, Trimulgherry Secunderabad.	10.1.63	8th		17	74	3
17.	22 - 13 Nov 87	Shri K. Paramashwar 11-1-599 Chalkiguda Kamanashapuram Hyderabad.	5.2.64	8th		18	74	3
18.	23 - 13 Nov 87	Shri K. Satyanarayana 11-4-50/3, Chalkiguda Secunderabad.	2.3.63	8th		19	74	3
19.	24 - 13 Nov 87	Shri B. Asok 5-1-51, Ram Mandir Chalkiguda	12.12.64	8th		20	74	3
20.	25 - 13 Nov 87	Shri A Krishna 3-2-133, Langer House Hyderabad-3	02.6.65	5th		21	74	3
21.	26 - 13 Nov 87	Shri Ibrahim 3-13-322, Trimulgherry Village Secunderabad.	04.1.64	8th		22	74	3
22.	27 - 13 Nov 87	Shri Varsing Rao 13-2-414, Lalitha Bagh Uppuguda Hyderabad.	12.12.62	9th		23	74	3
23.	28 - 13 Nov 87	Shri M Varsinha 13-4-126 Shamsulgherry Hyderabad	12.12.62	7th		24	74	3
24.	29 - 13 Nov 87	Shri K. Mutyam Reddy 12-1-42/1, Chalkiguda Hyderabad.	12.12.62	7th		25	74	3
25.	30 - 13 Nov 87	Shri M. Reddy Rao 12-1-42/1, Chalkiguda Hyderabad.	12.12.62	7th		26	74	3

95

1	2	3
26.	41 - 16 Nov 87	Shri R. Marsimha 18-9-342/1, Keshavaguda Chandrayangutta Hyderabad.

27.	54 - 16 Nov 87	Shri N Ramula 3-16-77, Srinagar Colony Lalbazar Secunderabad.
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28.	55 - 16 Nov 87	Shri Ganesh 18-8-337/69, Arundhati Colony Uppuguda Hyderabad.
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29.	56 - 16 Nov 87	Shri P. Vishnu 51, Mallagutta Minister Road Secunderabad.
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30.	59 - 16 Nov 87	Shri J. R. Ravinder Kumar 14/A Picket Secunderabad.
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31.	76 - 16 Nov 87	Shri B Sudarshan 18/7-85 Outside Goulipura Hyderabad.
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32.

33.	85 - 16 Nov 87	Shri P Chaitra Raju 8-3-228/432, Ramnagar Yousufguda, Hyderabad.
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34.	89 - 16 Nov 87	Shri K Babu Rao 21-1-210, Gulab Singh Bowli, Hyderabad.
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4	5	6	7	8	9
18.3.64	7th		26	73	32
12.10.63	7th		27	73	3
06.8.63	6th		28	73	3
02.11.63	5th		29	73	3
17.8.61	7th		30	73	3
10.3.62	4th		31	73	3
B L A N K					
02.7.61	7th		32	72	3
10.8.62	6th		33	72	3
01.7.63	6th		34	72	3

[Signature]

6.	97 - 16 Nov 87	Shri B Ravinder 10-1-223, Veer Nagar Khairatabad P.O. Hyderabad.	12.3.65	6th	35	72	33		
7.	98 - 16 Nov 87	Sh. J Ramesh Kumar 11-3-1082 Gokulnagar P.O Vijayanagar Colony Hyderabad-45.	20.3.64	7th	36	72	33		
8.	102 - 16 Nov 87	Shri K. Katchari 9-2-203, Lanker House Hyderabad.	03.4.63	9th	37	72	33		
9.	103 - 16 Nov 87	Shri M Shyam Rao 2-4-17, Kumariguda Near Sarvee Tarband Secunderabad.	24.4.61	5th	38	72	33		
10.	112 - 16 Nov 87	Shri K. Vinayak Rao 20-5-227 Shankar Gunj Hyderabad-252.	06.5.62	7th	39	72	33		
11.	120 - 16 Nov 87	Shri D Ashok Kumar 5-6, Kawkar Bolarum, Secunderabad.	10.4.61	10th	40	72	33		
12.	121 - 16 Nov 87	Shri B. Babu 3/24, Air Force Officers Colony Bolarum, Secunderabad.	14.3.63	IX	41	72	33		
13.	122 - 16 Nov 87	Shri M. Yadagiri 11-1-344, Satharambagh Afzalsagar Hyderabad.	5.5.60	9th	42	72	33		
14.		B L A H K							
15.	123 - 16 Nov 87	Shri R. Nageshwar Rao 23-5-1042, Gowlipura Hyderabad.	15.6.63	10th	43	72	33		

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46. 136 - 17 Nov 87	Shri Mohd. Ghouse Mahomed Saddiqi 12-2-355, Murad Nagar Oppi Sita Office Hyderabad.	11.1.88	10th	44	71	6
47. 143 - 16 Nov 87	Shri K. Sathyanarayana 18-1-124, Asif Nagar Hyderabad-32.	02.2.88	7th	45	71	6
48. 150 - 15 Nov 87	Shri M. Krishna 16-7-87/1, outside Gowlipura, Hyderabad.	12.5.84	5th	46	71	6
49. 151 - 16 Nov 87	Shri B Ramesh Kumar 17-4-709, Yakuthpura Hyderabad-21.	20.4.80	8th	47	71	6
50. 154 - 16 Nov 87	Shri S Ravinder 6-3-240, New Bhoiguda Secunderabad.	10.3.83	9th	48	71	6
51. 151 - 16 Nov 87	Shri K Devalah 16-11-200/1 Moosaram bagh Hyderabad-23	06.3.81	7th	49	71	6
52. 164 - 16 Nov 87	Shri M Swamy 6-4-114 N Swamy Bhoilakpur Secunderabad.	21.5.83	8th	50	71	6
53. 168 - 16 Nov 87	Shri B Sanjeeva Rao 12-3-3 245 Chandra Nagar Hyderabad.	16.4.80	6th	51	71	6
54. 167 - 16 Nov 87	Shri K Jagannathan 9-3-24, Copany bagh Golconda Hyderabad-3.	22.12.84	8th	52	71	6
55. 167 - 16 Nov 87	Shri J. Srinivas 12-1-187, Begum Nagar Hyderabad-3.	09.7.84	7th	53	71	6

98

55.	10 Nov 87	Shri Khadim Mohammad 17-1-88 Edi Bazar Hyderabad-23.	10.7.88	7th	56	71	3
56.	107 - 16 Nov 87	Sh. Mohd Nazimuddin 17-6-105/L, Dabulpura Hyderabad.	10.1.89	8th	55	71	6
	100 - 16 Nov 87	Sh. G. Krishna 4-27, Kachar Hyderabad.	03.2.89	4th	56	71	22
	104 - 16 Nov 87	Shri K Rajender Prasad 16-3-834, Golliguda Chanan, Near Old Bus Depot Hyderabad.	10.4.81	8th	57	71	23
58.	211 - 16 Nov 87	Shri Raja Malliah Higgins College Basheer Bagh Hyderabad.	18.2.81	7th	55	71	23
59.	220 - 16 Nov 87	Shri C Mahesh 6-9-100, Public Garden P.O. Road, Hyderabad.	10.7.88	9th	59	71	3
61.	254- 17 to 25 Nov 87	Shri G. Vinod Kumar 200, Azadiah Nagar Secunderabad-2	01.11.81	6th	60	70	33
62.	276 - "	Sh. P. Mallishan 4-1-1023, King Kothi Road Hyderabad-1.	05.2.83	6th	61	70	6
63.	281 - "	Shri S Ramesh Babu 91 CIP Quarters Lalimpura, Hyderabad.	10.4.83	9th	62	70	33
64.	288 - "	Shri A Prem Kumar 6-12-110, Gandhinagar Secunderabad.	10.1.81	8th	63	70	33
	290 - "	Shri A Ashok Kumar 10, P. Road	03.2.81	6th	131	63	33

36. 307 - 17 Nov 67

Shri Syed Mahboob Ahmed
17-3-194/4-A Yakutpura Mohalla
Yousuf nagar, Hyderabad.

02.8.63

7th

64 76 6

67. 313 -

Shri B.Y. Pradeep Kumar
4-66, Old Bowenpally
Secunderabad.

05.8.61

7th

132 63 6

83. 325 -

Shri B. Ramulu
16-11-243, Moosambagh
Hyderabad.

26.11.66

5th

65 76 6

6. 333 -

Shri M. Satyanarayana
13-1-231, Saidabad
Hyderabad.

18.6.63

7th

66 76 6

6. 343 -

Shri B. Prabhakaran
72, Gun Rock
Arizulgherry
Secunderabad.

24.6.51

0th

1 23 63 6

71. 343 -

Shri P. Satyanarayana Rao
12-2-601/23, Kallinipura
CIB Post Kallinipura Sakar
Hyderabad-6.

30.3.61

4th

134 63 6

72. 343 -

Shri M. Shyam Rao
19-3-57/1, Bondi Malliguda
Bahadurpura Colony
Hyderabad.

29.8.63

1

135 63 6

73. 350 -

Shri Narasing Rao
8-7-445, 2nd Lane
Concordia, Hyderabad.

13.3.64

7th

67 76 6

74. 353 -

Shri P. Laxminarayana
22-3-543 Miralactandi
Hyderabad.

28.3.63

5th

68 76 6

75. 355 -

Shri Venkata Jany
72-3-544, Miralactandi
Hyderabad.

29.1.61

5th

69 76 6

375 - 17 to 25 Nov 67	Shri S Ram Chandran 12-1-922/106, Acif Nagar Hyderabad.	02.2.65	5th	71	70	8			
382 - "	Shri V Raju 13-2-1049/300 Jiggula, Hyderabad-5.	07.7.63	8th	72	70	8			
382 - "	Shri Abdul Majid Khan 5-5-321, BK Minar Masjid, Hampally Hyderabad.	02.3.64	5th	73	70	8			
382 - "	Shri K Jangalaiah 2-6-367/155 Vidagala Rao Nagar Hyderabad.	16.6.62	6th	74	70	8			
382 - "	Sh. B. Yaddala 16-2-332, Old Malakpet Hyderabad.	04.6.60	5th	75	60	8			
382 - "	Shri D. Rajuhamani 2-2-206, Langoor House Hyderabad.	08.8.63	4th	76	60	8			
382 - "	Shri B. La Lyman 3-1-39/1, Hyderabad.	05.9.63	7th	77	60	8			
382 - "	Shri P. Venkatesh 15-4-219, Gooliguda Chaman, Hyderabad.	05.2.64	7th	78	60	8			
382 - "	Shri K Subhakar Rao Chinta Bai Cavalry Trinulgherry Secunderabad.	20.3.60	9th	79	60	8			
382 - "	Shri George Salraj 12-3-763, Aliabad Kurnool, Hyderabad.	10.12.63	5th	80	60	8			

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No.	Sl. No.	Date	Name	Address	Age	Sex	Religion	Signature	Remarks
87.	470	17 to 25 Nov 67	Shri Gulam Rasool Sabar	18-7-253872 Rangakhidki Yakutupura, Hyderabad.	10.4.64	MI			
88.	471	"	Shri D.K. Naghu Rama	1047, Kalaiguda Bolarum, Secunderabad.	25.5.61	9th		137	63 SC
89.	472	"	Shri G. Vijaya Kumar	1-4-702/6, Bholakpur Hyderabad.	24.12.62	9th		114	66 SC
90.	480	"	Shri C. Mohan Reddy	17-2-680, Madampat Near Saidabad Hyderabad-659.	06.4.63	7th		74	67 G
91.	488	"	Shri M.P. Surrender	3-13-434, Trimulgherry Secunderabad.	18.4.61	6th		138	63 SC
92.	491	"	Shri Pedda Palli Ramesh	13-4-236/1, Sabjimaandi Hyderabad.	08.2.63	8th		85	67 G
93.	505	"	Shri J. Ravender	10-3-192/B/5, Humayan nagar Hyderabad-24.	16.4.63	9th		86	67 G
94.	509	"	Shri G. Lingam	12-1-117, Lalpet Secunderabad.	20.3.63	9th		87	67 G
95.	513	"	B Krishna Swamy	1-9-113/27-F/373 Nagamaiah Kanta Hyderabad-20.	10.5.66	5th		129	68 SC
96.	525	"	Shri B. Balraj	-9-3-30/A, Company Bagh Post, Golconda, Hyderabad-8.	02.5.63	9th		83	69 G
97.	533	"	Sh. Galli Palli Marsinha	Daouji nagar, Bowenpally Secunderabad.	06.11.60	9th		142	62 SC

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1	2	3	4	5	6	7	8	9
98.	544 - 17 to 25 Nov 87	Shri A.D. Nagarjan 6-12-72, Gandhi nagar Ramakrishna Puram Secunderabad.	14.7.60	9th	142	63	SC	
99.	553 - "	Shri K. Kashaiah 2-3-504/B/S, Amberpet Hyderabad.	11.11.67	5th	142	63	SC	
100.	554 - "	Shri K. Krishna Rao 12-11-1005, Warsiguda Coathaiphad Mandi Secunderabad.	02.3.64	9th	142	69	G	
101.	556 - "	Shri K-Raja Hussain 106/SRT, Yakutpura Colony Hyderabad-23.	18.5.64	5th	90	69	G	
102.	560 - "	Sh. K. Laminarayana TRT-111 RTCK Road Hyderabad-48.	15.3.58	6th	142	63	SC	
103.	572 - "	Shri Narsing Rao 153, Lalbazar Trimulgherry, Sec'bad.	03.8.61	6th	141	69	SC	
104.	577 - "	Shri Mirza Abbas Baig 17-4-738, Yakutpur Begagally, Hyderabad.	22.5.63	MC	91	69	G	
105.	595 - "	Shri D. Surender Babu 17-2-853, Madannapet Hyderabad.	10.6.62	9th	105	65	SC	
106.	612 - "	Shri Tadkala Prasad 9-1-139/T, Langer House Hyderabad.	10.6.65	6th	92	69	SC	
107.	614 - "	Shri G. Venkateshwaralu 5-2-395, Risalabiulla New Osman Gunj, Hyderabad.	27.3.62	9th	106	63	SC	
108.	622 - "	Shri A. Gopal 2-2/85/23/1, Amberpet Ramakrishna Nagar Hyderabad.	01.6.62	6th	107	63	SC	

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109.	323 - to 25 Nov 87	Shri S. Ram Chandraiah 1-11-174, Shamla Building Begumpet, Hyderabad.	18.3.63	8th			25	69	G
110.	631 - "	Shri Ravela Satyanarayana 1-1-17/5, RTO X Road Jawhar Nagar, Hyderabad.	08.10.62	8th			148	63	SC
111.	646 - "	Shri M Srinivasa Rao 172, Key Personal, New MD Lines, Golconda, Hyderabad.	07.3.63	5th			94	69	G
112.	654 - "	Shri J. Vivekanand 2-3-54, Tarbund Janjaipura Secunderabad.	07.4.60	6th			149	63	SC
113.	699 - "	Shri T. Anand Rao 1-11, Malkaj Girdi W Near Bus Stop Hyderabad.	06.12.62	8th			95	68	G
114.	709 - "	Shri G. Ashok 6-3-40/4, Prem Nagar Khairatabad Hyderabad-4.	10.3.63	9th			150	63	SC
115.	714 - "	Shri P. Shekhar 2-16-60, Balamrai Secunderabad.	16.12.62	6th			96	68	SC
116.	718 - "	Shri S. Srinivasa 14-5-25, Begum Bazar Hyderabad.	02.7.63	7th			97	68	G
117.	720 - "	Shri K. Srinivasa Rao 1-1-17/5, RTO X Road Jawhar Nagar, Hyderabad.	18.3.63	8th					
		Shri P. Mallaswamy 6-1-507/C/33, Indiranagar Colony Khairatabad, Hyderabad.	02.6.63	8th					
118.	720 - "	Shri K. Goutam Budhu 11-1-748, Bazarghat Hyderabad-4.	15.3.65	6th			299	68	G

1	2	3	4	5	6	7	8	9
120.	738 - 17th 25 Nov 87	Shri H. Srihari 1-2-182/A/16/2 Domalguda, Hyderabad.	06.7.62	7th		100	68	52
121,	744 - "	Shri Khaja Ataq Ahmed TRT 120 (C) Charminar Chourasta X Road Hyderabad.	16.6.63	8th		101	68	G
122.	748 - "	Shri Linga Murthy 5-2-678, Risala Abdulla Hyderabad.	08-3-63	9th		102	68	G
123.	759 - "	Shri Shaik Osman 17-4-423, Yakutpura Mazjeed Hyderabad.	18-3-63	6th		103	68	G
124.	776 - "	Shri Jaber Ahmed Khan 14-5-115, Bedar Wadi Hyderabad.	05.6.63	8th		104	68	G
125.	781 - "	Shri Rafiq Ahmed 12-2-336/40, Saibaguda Sabar Nagar, Hyderabad.	25.6.65	6th		105	68	G
126.	792 - "	Sh. K. M. M. Syed Hashem 16-3-536, Chanchalguda Hyderabad.	15.12.62	7th		106	68	G
127.	811 - "	Shri Kota Ravender 3-5-1111/25, Raj Mohalla Road Hyderabad.	10.3.63	7th		107	67	G
128.	817 - "	Shri G. Dedson 195/9 Mohinuddin Line Golconda, Hyderabad.	05.6.63	7th		108	67	G
129.	821 - "	Shri Viaz Ahmed 3-10-329, Gung Bazar Golconda, Hyderabad-S	17.11.63	4th		109	67	G
130.	822 - "	Shri V. S. Satyanarayana 1-4-189, Kalashguda Hyderabad.	04.3.63	8th		110	67	G

			4	5	6	7			
101. 832 - 17 to 25 Nov 87	Shri K.S. Srihari 18-2-129, Keshavagari P.O Hyderabad.	25.11.62	8th				111	61	G
132. 817 - "	Shri M. Yellaiah 4-4- Bowenpally Secunderabad.	10.6.53	4th				151	63	SC
133. 850 - "	Shri D. Mahender 18-6-331, Outside Gowlipura, Hyderabad.	24.11.64	6th				152	63	SC
134. 851 - "	Shri D Ashok 1-35 Sadar Bazar Bolarum, Sec'bad-10.	30.10.63	6th				125	64	G
135. 854 - "	Shri H Narasimhalu 9-2-115/1, Langer House Golconda, Hyderabad-8.	01.8.63	7th				116	65	SC
136. 855 - "	Shri V Chandraiah 192/1, Langer House Golconda, Hyderabad.	22.8.64	5th				117	65	G
137. 857 - "	Shri K Lakshman 2-5-6 Kattakinda Basthi Sikh Village Secunderabad.	25.4.61	9th				153	63	SC
138. 871 - "	Shri K Ramu SRI-136, Jawahar Nagar Hyderabad.	20.10.61	6th				154	63	SC
139. 874 - "	Shri M. Marsing Rao 6-3-134/5 Premnagar Hyderabad.	06.3.63	6th				118	65	SC
140. 885 - "	Shri R Bhaskar Goud 2-2-378 Amberpet Hyderabad.	01.7.63	9th				129	64	G
141. 1102 - "	Shri P Manohar 2-34, J J Nagar Colony R.R Distt.	09.8.53	9th				155	63	SC

1	2	3	4	5	6	7	8	9
142. 1395 - 17 to 25 Nov 57	Shri B Satyanarayana 4/14 Old Alwal Secunderabad-10.	05.10.50	-			150	62	SC
143. 1327 - "	Shri K Yadaiah 15-50, Venkatrao pet P.O. Alwal, Sec'bad.	15.5.58	IX			157	62	SC
144. 1347 - "	Shri K Shankar 3-44, Kukatpalli Hyderabad.	27.8.58	6th			155	62	SC
145. 1393 - "	Shri M Nagesh 3-136, Fatthenagar Hyderabad.	25.10.58	-			119	65	SC
146. 1406 - "	Shri U Eshwarajah 2-30, Kutbulla Pur H.M.T. Hyderabad.	10.4.59	-			159	62	SC
147. 1417 - "	Shri B.R. Shivanand 1-11-110/87, Begumpet Hyderabad-16.	27.10.58	9th			160	62	SC
148. 1425 - "	Shri G Krishna 7-100, Macha, Bolaram Secunderabad.	20.4.64	-			130	64	G
149. 1483 - "	Shri C. Balraj 2-111, Manakrangud Golconda, Hyderabad.	25.12.59	5th			161	62	SC
150. 1486 - "	Shri S. Yadaiah 129, Banunagar Bowenpally R.R. Distt.	05.7.61	5th			162	62	SC
151. 1518 - "	Shri K Balnarsinha 1-30, Gajilapur Dundigal Hyderabad.	10.12.62	7th			163	62	SC

1	2	3	4	5	6	7	8	9
151.	1523 - 17 to 25 Nov 87	Shri D.V. Marsing Rao 4-57, Old Alwal, Gram Panchayat, R.R Distt.	13.5.59	9th		164	62	33
152.	1604 - "	Shri M.P. Shankar 24-09, Werradamottla R.K. Puram, Secunderabad.	23.12.59	8th		165	62	33
154.	1653 - "	Shri A Suresh 2-3-48, Sikh Village Secunderabad.	20.11.64	5th		166	62	33
155.	1665 - "	Shri N Mallesh 6-7-43/59, Bansilalpet Secunderabad.	07.6.60	9th		167	62	33
156.	1667 - "	Shri K Venkata Krishna I.C. 227, Irramasila Colony Kairathabad, Hyd - 4.	14.6.61	6th		168	62	33
157.	1683 - "	Shri K Sanaiah H-Type, 567 MMR Puram Colony Bada Banda, Hyderabad-18.	23.12.60	9th		169	62	33
158.	1692 - "	Shri B Hanumanthu 3-5-190, Laxminagar Secunderabad.	13.2.59	7th		170	62	33
159.	1723 - "	Shri I Illaiah G Room No.26, Id Hospital Secunderabad-3.	13.8.61	7th		171	62	33
160.	1754 - "	Shri A Mohan Rao 6-3-600, Lal Darwaza Hyderabad.	13.1.59	5th		172	62	33
161.								
162.	1725 - "	Shri F. Chennarajah 134/132/A Chandrababu Hyderabad.	15.4.63	5th		174	62	33

B L A N K

1	2	3	4	5	6	7	8	9
163.	1902 - 17 to 25 Nov 87	Shri Matha Matha Miel 107, Andiah Nagar Secunderabad.	15.4.61	9th		115	62	ST
164.	1906 - "	Shri A Gandhi Lala 3-5-943, Marayanaguda Hyderabad - 29.	13.2.62	6th		112	62	ST
165.	1976 - "	Shri K Marsimha Gunila Pochampally R R Distt.	05.10.60	-		122	65	ST
166.	1901 - "	Shri K Sree Ramulu 6-2-353, Chinthal Basthi Hyderabad.	10.6.62	5th		118	60	ST
167.	1902 - "	Shri H Krishna 12.2.663/3, Guddi Malkapur Hyderabad.	02.1.62	5th		176	62	ST
168.	1906 - "	Shri T Maheswar 17.2.572/19, Kurmaguda Saidebad, Hyderabad.	16.6.63	9th		177	62	ST
169.	1932 - "	Shri K Subash Chander Bose 17-2-520, Kurmaguda Hyderabad.	10.9.63	8th		121	65	ST
170.	1933 - "	Smt K Radha Bai 17-2-579/35, Kurmaguda Saidebad, Hyderabad.	03.6.64	10th		178	62	ST
171.	1936 - "	Shri Roop Singh 4.4.486, Sultan Bazar Hyderabad.	10.10.64	IX		187	35	ST
172.	1933 - "	Shri V Vijaya Kumar 17-2-635/1, Kurmaguda Hyderabad.	11.10.64	10th		122	65	ST

1	2	3	4	5	6	7	8	9
172.	1942 - 17 to 25 Nov 87	Shri Eshwar 7-1-632/176, Bapunagar S.R. Nagar, Hyderabad.	01.3.66	6th	125	65	ST	
174.	1947 - "	Shri V Gopal 7.1.632/151, Bapunagar S.R. Nagar, Hyderabad.	12.5.64	4th	135	35	ST	
175.	1952 - "	Shri K Warsing Rao 17-2-424/1- Kurmanagar Hyderabad-659.	01.11.64	5th	137	35	ST	
2083 -	"	Rect. SP Madhavali C/O Narayana Reddy, H.No. 16-103/3/B Venkat Reddy Nagar Ramanathapur, RR Distt.	23.10.63	5th	75	75	Ex-Ser (1-3-0)	
177.	2084 - "	Mk. Venkataiah 18-60, Ambadkar Nagar Uppal, Hyderabad-39.	16.6.51	5th	71	70	Ex-Ser (15-0-0)	
178.	2086 - "	Gnr. Rama Sunder D-60, IDPL Colony Balannagar Township Hyderabad-37.	05.9.57	9th	77	70	Ex-Ser (7-4-9)	
179.	2087 - "	Mk. P. Jayaraman 6-123, Gandhinagar P.O. Rmakrishna Puram Secunderabad.	18.7.50	9th	78	70	Ex-Ser (16-10-28)	
180.	2083 - "	Sen. MK Chandra Kumar 10-104, Jai Jawahar Nagar Colony, Secunderabad-527.	27.7.58	3rd	79	70	Ex-Ser (3-3-0)	9 3
181.	2091 - "	Mk. Emmanuel 2-66, Vennal, Jai Jawahar Nagar Colony, Secunderabad-537.	11.3.53	8th	124	65	Ex-Ser (15-1-10)	

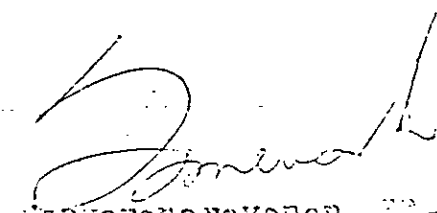
112.	2003 - 17 to 25 Nov 87	Sep. G. Mohan Reddy S-48/1, P.O. Channapet Mayat Nagar, Hyd-35.	06.4.63	3th	179	6a	Ex-Ser (1-0-7)
193.	2157 - "	Sfn.K. Harsing Murthy C/O I.R. Murthy 19-44/1(37-36), Sainikpura R.K. Puram, Sec'bad-524.	27.2.63	10th	180	6a	Ex-Ser (6-3-0)
194.	2197 - "	Nav K Venkat Ram C/O S.M. Bakshi 15-3-Venkata Rao pet Trinulgherry, Sec'bad.	12.5.45	5th	128	65	Ex-Ser (24-0-0)
195.	2203 - "	Nav H.C. Gayali 34-35-Vivskanandapuram Sainikpuri, Sec'bad-594.	10.5.43	7th	181	6a	Ex-Ser (24-0-0)
196.	2235 - "	Sep T. Venkateshwara lu C/O Chidambara Swamy 163 L.B. Nagar, Chapur Nagar IDA Seedinetla, Hyd-855.	10.1.62	3th	121	65	Ex-Ser (3-0-0)
197.	2216 - "	Mk. Tungnath H.No.77, 2nd = Laminagar, East Marredpally Secunderabad-26.	11.11.46	8th	132	6a	Ex-Ser (20-0-0)
198.	2353-A "	Nav Y Rongaiiah 16-2-77/1, Yowliguda Near Telephone Exchange Hyderabad.	07.3.49	3th	183	6a	Ex-Ser (18-6-23)
199.	2343 - "	L/Mk Jai Ram	23.4.51	-	127	65	Ex-Ser (14-0-0)
200.	2427 - "	Shri E. Balasubramanyam 30-2-377 (2257) Somnagar Street	08-4-74	7th	184	6a	Ex-Ser (14-0-0)

111

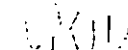

			4	5	6	7	8	9
	2428 - 17 to 25 Nov 37	Shri R. Prem Kumar 34, Gangaputra Colony Old Bowenpally Secunderabad.	10.9.67	6th		190	65	PH
192.	2445 - "	Shri K Mohan Reddy. 3-12-300 Trimulgherry. Secunderabad.	23.4.68	5th		185	60	PH
193.	2451 - "	Shri B Ravi Babu 8-3-231/1/191 Masufguda, Hyderabad.	01.7.69	3th		191	65	PH
194.	2452 - "	Shri R. Srinivas 44, Gangaputra Colony Old Bowenpally Secunderabad.	10.7.67	9th		186	60	PH

Total One hundred ninety only.

Presiding Officer


Shri K Sankaranarayanan, FR
DCMR, B/R
CIR (1P) Secunderabad.

Members

1. 
Shri V P Sunkak, ES
GA South, Secunderabad
2. 
Shri Ram Krishan
AGE 1/E (AF)
GA 47 Secunderabad.

పాఠశాలలో తొలిసారి విద్యార్థి/విద్యార్థిని చేర్చుకొనబడిన తరగతి.
సంవత్సరము.

Class and year in which the pupil was First admitted into the school.

25-6-1975 VIII

11. పై తరగతికి ప్రయోజనాలు అగుటకు తగిన అర్హత కలిగియున్నాడా? (ఎస్.ఎస్.ఎల్.సి. లేక హెచ్.ఎస్.సి. ఎస్.ఎస్.సి. పరీక్షకొరకు పంపబడిన విద్యార్థి/విద్యార్థిని విషయములో ఆ విద్యార్థిని కాలేజీకోర్సు చదువుటకు అర్హత కలిగి యున్నట్లుగా గాని ఉత్తీర్ణుడైనట్లుగా గాని ఉత్తీర్ణుడు కానట్లుగా గాని ప్రకటించిన విషయము గురించి తెలియజేయవలెను.

Whether qualified for promotion to a Higher class (in the case of pupil presented for the S.S.L.C. or H.S.C. S.S.C whether the pupil has been declared eligible for College Course of Study or passed or not has to be stated.)

yes qualified

12. విద్యార్థి/విద్యార్థిని పాఠశాలకు చెల్లించవలసిన యనుము అన్నింటిని చెల్లించినాడా?

Whether the pupil has paid all the fees due to the school.

paid

[ఎ] విద్యార్థి/విద్యార్థిని ఏదైనా స్కాలర్‌షిప్ పొంది యుండెనా? స్కాలర్‌షిప్ వివరము తెలుపవలెను.

(a) Whether the pupil was in receipt of any scholarship (Nature of the Scholarship to be specified)

no

13. [బి] విద్యార్థి/విద్యార్థినికి రాయితీ ఏదైనా ఇవ్వబడినదా? రాయితీ స్వభావము తెలుపవలెను.

(b) Whether the pupil was in receipt of any concession Nature of concession to be specified.

no

14. సంవత్సరములో విద్యార్థి/విద్యార్థిని పై దృశ్యపరీక్ష చేయించుకొనెనా? [పై దృశ్యపరీక్ష మొదటిసారి ఆరిగినదా? తిరిగి ఆరిగినదా? తెలుపవలెను]

whether the pupil has undergone medical inspection during the year first or repeat (to be specified)

yes

15. విద్యార్థి/విద్యార్థిని యొక్క గుర్తింపు చిహ్నములు:

Personal marks Identification:

(i)

(ii)

ASC on the right cheek

Apple on the right hand ring finger

16. విద్యార్థి/విద్యార్థిని పాఠశాలను వాస్తవముగా వదిలి వెళ్లిన తేదీ.
Date on which the pupil actually left the school.

17. విద్యార్థి/విద్యార్థిని తరపున అతని/ఆమె తల్లి/తండ్రి లేక సంరక్షకుడు అదిరి సర్టిఫికేటు కొరకు దరఖాస్తు పెట్టిన తేదీ.

24-4-1976

Date on which application for Transfer Certificate was made on behalf of the pupil by his/her parent or Guardian.

21-6-1976

18. అదిరి సర్టిఫికేటు తేదీ.

Date of the Transfer Certificate

21-6-1976

19. ప్రవర్తన:

CONDUCT:

Good

20. విద్యార్థి/విద్యార్థి నడుచుచున్న తరగతిలో హాజరీ విద్యార్థి/విద్యార్థిని

Attendance in the class of leaving number of days present.

Regular

21. పాఠశాల పనిచేసిన దినముల సంఖ్య.

Total number of working days

22. ప్రధానోపాధ్యాయుని సంతకము.

Signature of the Head of the school

Satyam
Head Master
21-6-1976

గమనిక :- విద్యార్థి అంతర్గ్రామంలో రాష్ట్రమును వదిలి వెళ్లకుండా సంవత్సరములో తనిఖీ సంబంధించిన అధికారి దృవీకరించిన సంతకము దానిపై లేనియెడల ఆ సర్టిఫికేటు చెల్లుబాడి కానేరదు.

Note :- In case the pupil is leaving the State of Andhra Pradesh this Certificate will not be valid without the countersignature of the Inspecting Officer concerned.

Ad-no. 1793

(112)

ORIGINAL

అనుబంధము APPENDIX 16.

3.వ అధ్యాయము, 99 వ నియమము (Rule 99 Chapter III)

బదిలీ సర్టిఫికేటు Form of Transfer Certificate

1. బదిలీ సర్టిఫికేటు సంఖ్య.

Transfer Certificate No. 024371

(ఎ) పాఠశాల పేరు (స్థలము, జిల్లా).

(a) Name of the School. (Place and District):

(బి) పాఠశాలలోని పెద్ద తరగతి.

(b) Highest class in the school:

(సి) ప్రభుత్వపాఠశాల కానిచో, ఏ తరగతివరకు రికగ్నిషను పొంది యుండెను. రికగ్నిషను అర్హుడు. నంబరు. తేది.

(c) If-non Government class upto which recognized No. & date of recognition orders.

2. విద్యార్థి / విద్యార్థిని పేరు.

Name of the pupil.:

తండ్రి లేక సంరక్షకుని పేరు.

Name of the parent or guardian:

3. జాతీయత మరియు మతము.

Nationality and Religion.

4. అభ్యర్థి షెడ్యూలు కులములు లేక షెడ్యూలు తెగలు లేక విముక్తజాతులు లేక ఆంధ్రప్రదేశ్ విద్యా నియమావళిలో నిర్దిష్టపరచబడి, సాంఘికముగాను, విద్యాసంబంధముగాను వెనుకబడిన ఇతర తరగతులకు చెందిన వ్యక్తియో లేక షెడ్యూలు కులములు లేక షెడ్యూలు తెగలనుండి అన్య మతము స్వీకరించిన వ్యక్తియో? అయినట్లయితే అందుకు సంబంధించిన వివరములు తెలియజేయవలెను.

Whether the candidate belongs to Scheduled Castes or Scheduled Tribes or Vimukthajathis or other socially and educationally backward classes specified in the Andhra Pradesh Educational Rules or is he a convert from the Scheduled Castes or the Scheduled Tribes. If so, the particulars thereof.

5. జన్మించిన తేది ప్రవేశము రిజిష్టరులో నమోదైన ప్రకారము. (మాటలలో)
Date of birth (in words) as entered in the Admission Register.

6. (ఎ) పాఠశాల వదిలి వెళ్ళునపుడు విద్యార్థి చదువుచుండిన తరగతి మాటలలో.)

(a) Class in which the pupil was reading at the time of leaving (in words):

(బి) (i) ప్రథమ భాష.

(b) in First Language:

(ii) ద్వితీయ భాష.

(ii) Second Language:

(సి) తీసుకున్న కోర్సు (సాధారణవిద్యా? వృత్తివిద్యా? వృత్తివిద్య అయిన సాంకేతికములు).

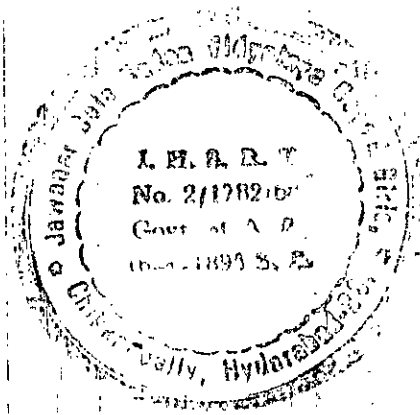
(c) (i) Course offered, (i.e. whether Academic or Bifurcated and the subject offered under the bifurcate course)

(ii) చదివినది సమ్మిశ్రిత గణిత శాస్త్రమా? సామాన్య గణిత శాస్త్రమా? (ii) Whether studied Composite or General Mathematics:

8. (i) మాతృభాష (ii) బోధనభాష. (iii) బిచ్చికముగా తీసుకున్న భాష
Mother Tongue Medium of instruction Optional.

9. ఆ తరగతిలో చేర్చుకొనబడిన లేక ప్రమోటు చేయబడిన తేది (నంబరు రమను మాటలలో నమోదు చేయవలెను).

Date of admission or promotion to that class (the year to be entered in words)



R. Appa Rao

R. Thaviriah

Indian Hindu

B. C.

B. C.

27-12-1963 Twen Gsevent
Dec nine/teen six/three

VIII th class

Telugu

Hindu

Academic

General

Telugu-Telugu

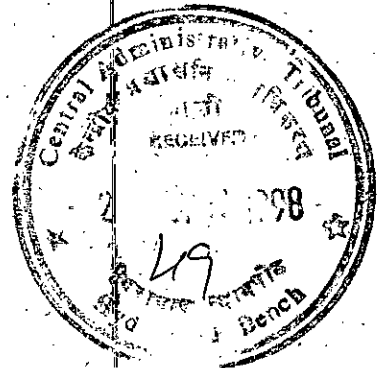
June 1975

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

OA NO:

1354 OF 1997
1354

REPLY AFFIDAVIT / WRITTEN
STATEMENT ON BEHALF OF
RESPONDENT NO:



FILED ON:

21-1-98

FILED BY:

V. RAJESWARA RAO
S.C. FOR RAILWAYS/
ADDL. CGSC, HYDERABAD

PH NO: 272585

Page filed
21/1/98

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL AT :: HYDERABAD

O.A.NO. 1354 of 1997

Between:-

R.APPA RAO, S/o.R.Thavitaiah, aged about 33 years, working as Mazdoor, with MES No.144419, under Garrison Engineer, Golconda, Hyderabad - 500 008.

... APPLICANT

A N D

1. The Chief Engineer, Hyderabad Zone, MES, Secunderabad.
2. The Commander, Works Engineer, Mudfort, Secunderabad.

... RESPONDENTS

REJOINDER

I, R.Appa Rao, S/o.R.Thavitaiah, aged about 33 years, Ex.Mazdoor, MES No.144419 under Garrison Engineer, Golconda, Hyderabad-500 008, do hereby solemnly and sincerely affirm and state as follows:-

1. I am the applicant in the above O.A. and as such I am well acquainted with the facts of the case. I have read the Counter Affidavit filed on behalf of the Respondents and in reply thereto I beg to submit as follow:-

2. I submit that paragraphs 1 and 2 of the Counter are formal in nature and need no reply.

3. In reply to para 3 and 4 of the Counter I submit that it is absolutely incorrect that I have produced bogus employment Registration Card at the time of recruitment containing the date of birth, school where I have studied and the qualifications and that they were not tallying with the documents held by the employment exchange (Labour), Hyderabad. I submit at the outset that neither so-called bogus employment Registration Card said to have been produced by me at the time of recruitment nor the documents held by the Employment Exchange (Labour), Hyderabad (even xerox copies thereof) were made available either at the time of inquiry or thereafter so that I would have defended my case effectively during inquiry to prove my innocence. I submit

that the copy of employment card filed as Annexure-R1, to the counter contains my name only but details regarding date of birth, school of studies, qualification are not found recorded therein as alleged and therefore it is not clear how the respondents could come to the conclusion that the particulars are not tallying with the documents held by the Employment Exchange. I submit in this connection that I have never produced bogus employment registration card at the time of recruitment. I submit that when the charge is that I produced bogus employment registration card containing date of birth/school and qualifications submitted at the time of initial appointment are not tallying with the records maintained by the Employment Exchange, the impugned order of dismissal shows that I have produced false and forged educational transfer certificate at the time of recruitment as proof of age exhibiting inconsistency. Thus I submit that the dismissal was ordered not on the basis of charge but on different reasons and hence the same is illegal, and arbitrary etc. I submit that although it is stated that the inquiry was made on the basis of complaint made to Lokayukta and consequential correspondence made by the Commissioner of Employment and Training, the relevant copies of the same were not made available, thereby violating the principles of natural justice etc.

4. With regard to paragraph 5 of the Counter I submit that it is for the respondents to prove the charge by conducting inquiry according to Rules, in consonance with the principles of natural justice. I submit that it is wholly incorrect that I have resorted to all sorts of Technical pleas alleging irregularities in the enquiry against me, on the otherhand I have made specific allegations that the inquiry was not conducted according to rules. It is reiterated that if the inquiry was conducted according to rules supplying me all the documents etc., the innocence

could have been easily established. I submit that the citations referred to namely AIR 1977 S.C.C.1512 to 1514 and 1966 SCC (LS) Page 80 have no application to the facts of the case.

5. As regards para 6 of the Counter, I submit that, the averment that the inquiry officer conducted Inquiry for each individual separately as envisaged in Sub Rule (2) of Rule 14 of CCS(CCA) Rules 1965 and did not enforce Rule 18 of the said rule is totally incorrect. I submit that reading of the report of inquiry officer and brief submitted by the presenting officer clearly show that the inquiry was not conducted according to Sub Rule (2) of Rule 14 of CCS(CCA) Rules, 1965. I submit that documents listed in Annexure-III of the Charge sheet dated 14.3.1995 were not made available even though the presenting officer utilised them. I submit that the Hon'ble Supreme Court ^{held} ~~has~~ furnishing of copies of documents of the statements of witnesses is obligatory on the department so that the delinquent may prepare his defence and this obligation cannot be discharged simply because the inspection of certain documents has been made 1969 SLR 759. I submit that even according to procedure for imposing penalties the Government of India issued instructions that copies of all documents relied upon and the statement of witnesses on behalf of the disciplinary authority be supplied to the Government servant along with chargesheet. In this view of the matter the non furnishing of documents referred to in Annexure-II of the charge sheet vitiated the inquiry. It is needless to submit that the presenting officer in his report has categorically stated that all the individuals appeared for the inquiry have demanded to handover the documents submitted at the time of appointment and the requirement was rejected by the Inquiry officer being the

:: 4 ::

official documents. It is therefore clear that non supply of the documents vitiated the inquiry. I submit that the charge is that I have produced bogus employment registration card while the order of dismissal says that I have produced false school transfer certificate at the time of my recruitment which means that the charge is one and the ~~removal~~ ^{dismissal} is on different ground. It is also relevant to submit that the finding of the Inquiry Officer is that all the forty two individuals have obtained and produced false and forged school leaving certificates at the time of recruitment in the department is basically different from the charge against me. Regarding contention that the inquiry officer had asked the charged official only relevant questions, I submit that the inquiry officer warned and put incriminating questions immediately after recording the statements which is in contradiction to sub rule (18) of Rule 14.

6. As regards para 7 of the counter I submit that it is my case in the O.A. that the requisition was made to the Employment Exchange by respondents. It is therefore submitted that it is not relevant to this O.A. as to who sent the requisition much more so when the Chief Engineer, Hyderabad Zone, M.E.S. Secunderabad is a respondent.

7. Regarding para 8 and 9 I submit that there is no any averment in this regard in my O.A. Hence no reply is necessary. I submit that I satisfied the condition of age for recruitment and also other conditions.

/Contd.. 5.,

8. Regarding para 10 I submit that I have not suppressed any material fact and the contention that I have produced bogus certificates is absolutely false. I submit that at the time of my appointment I submitted all the certificates ^{calen} required for appointment and they were with the respondents. Infact I have requested during the Inquiry to supply them, but the same was denied on the ground that they are official documents, surprisingly a copy of the T.C. is now filed.

9. Regarding paragraphs 11 to 13 I submit that the order dated 30.6.1997 was clearly illegal as the several contentions raised by me in appeal have not been considered by the appellate authority and no speaking order was passed.

10. As regards paras 14 to 16 I submit that the contention that I did not make a request for perusal of the documents required during the inquiry is totally incorrect. Infact I have even requested for the supply of the copies of the documents, but the same was denied on the ground that they were official documents. I submit that the charge framed against me was not at all proved. However the respondents with a preconceived notion dismissed me from service in gross violation of principles of natural justice and relevant rules.

11. As regards para 17 to 20 of the Counter, I submit that it is obvious from the Memorandum dated 30.4.1996 enclosing the copy of the inquiry report that the punishment of dismissal from service was proposed not by the disciplinary authority but under the directions of his superiors. It is thus clear that the disciplinary authority surrendered his jurisdiction to the higher authority. I submit that a reading of the Memo.No.158/651/EIC dated 30.4.1996 (Ann.VI page 25) clearly states that it is proposed to impose the

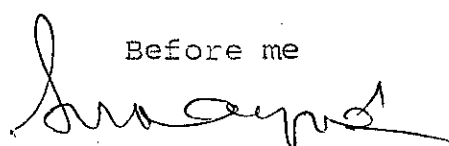
penalty of dismissal from service. The disciplinary authority came to a conclusion about punishment while forwarding a copy of the Inquiry Report. I submit that there was no averment made by me in the O.A. that the M.E.S. Union has planned in my dismissal or that when the school certificate is produced as proof of age, there is no necessity for medical officer certificate for the same. I also submit that the counter travelled beyond the pleading made in the O.A. and hence they are not adverted to, though denied.

I also submit that all the citations made in the O.A. are relevant for the purpose of adjudication of this O.A. by the Hon'ble Tribunal.

It is therefore prayed that this Hon'ble Tribunal may be pleased to allow the above O.A. as prayed for and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

Solemnly and sincerely affirmed
at Hyderabad on this 26 day of
January, 1998.


DEPONENT

Before me

// ADVOCATE // HYDERABAD.

REGISTERED MAIL DUE
Commander Works P.S.
Madras, Secunderabad -

14 Mar 95

75
120

STANDARD FORM OF CHARGE SHEET FOR MAJOR PENALTIES
(Rule 14 of the CCS(C&A) Rules, 1935)

MEMORANDUM

1. The undersigned proposes to hold an inquiry against
MES-144419 - Shri /S/A/ R. APPA RAO, MAZDOOR
under Rule 14 of the Central Civil Services (Classification
Control and Appeal) Rules, 1935. The substance of the
imputations of misconduct or misbehaviour in respect of which
the inquiry is proposed to be held is set out in the enclosed
statement of articles of charge (Annexure I). A statement of
the imputations of misconduct or misbehaviour in
support of each article of charge is enclosed (Annexure II).
A list of documents by which, and a list of witnesses by whom
the articles of charge are proposed to be proved are also
enclosed (Annexures III and IV).

2. MES-144419 Shri /S/A/ R. APPA RAO, MAZDOOR
is directed to submit within 10 days of the receipt of this
Memorandum a written statement of his defence and also to
state whether he desires to be heard in person.

3. He is informed that an inquiry will be held only in
respect of those articles of charge as are not admitted. He
should therefore, specifically admit or deny each article
of charge.

4. MES-144419 Shri /S/A/ R. APPA RAO, MAZDOOR
is further informed that if he does not submit his written
statement of defence on or before the date specified in para 2
above, or does not appear in person before the inquiry authority
or otherwise fails or refuses to comply with the provisions
of Rule 14 of the CCS(C&A) Rules, 1935 or the orders/directs
issued in pursuance of the said Rule, the inquiry authority
may hold the inquiry against him ex-parte.

5. Attention of MES-144419 Shri R. APPA RAO, MAZDOOR
is invited to Rule 20 of the Central Civil
Services (Conduct) Rules, 1934 under which no government
servant shall bring or attempt to bring any political
outside influence to bear upon any superior authority or
further his interest in respect of matters pertaining to his
service under the Government. If any representation is received
on his behalf from another person in respect of any matter
pending in these proceedings it will be presumed that
MES-144419 Shri /S/A/ R. APPA RAO, MAZDOOR
is aware of such a representation and that it has been made
at his instance and action will be taken against him for
violation of Rule 20 of the CCS(Conduct) Rules, 1934.

The receipt of the Memorandum may be acknowledged.

(Signature)

(BS Sarma)
Col
Commander Works Engineers

To
MES-144419
Shri R. Appa Rao, Mazdoor
(through GS Colcorda, Hyderabad)

120
81

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST MES-144419
SHRI R. APPA RAO, MAZDOOR OF GE GOLCONDA

That the said MES-144419 Shri R. Appa Rao, Mazdoor at the time of recruitment has produced bogus employment registration card. The details like date of birth, school and qualifications are not tallying with the documents held by Employment Exchange (Labour) Hyderabad.

Shri MES-144419 Shri R Appa Rao, Mazdoor failed to maintain absolute integrity and acted in a manner of unbecoming of a Govt servant and thereby violated the provisions under Rule 3 (1) (iii) of CCS (Conduct) Rules 1964 at the time of appointment.

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN
SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST MES-144419
SHRI R. APPA RAO, MAZDOOR

That the said MES-144419 Shri R. Appa Rao, Mazdoor at the time of recruitment has produced bogus employment registration card wherein the details of the date of birth, school and qualifications are not tallying with the documents held by Employment Exchange (Labour) Hyderabad.

Shri Deepak Kumar Panwar, IAS Commissioner of Employment and Training Hyderabad have called for the Identity Cards issued by the Employment Exchange of the selected candidates appointed candidates. Employment Registration Cards were forwarded to Shri Deepak Kumar Panwar, IAS Commissioner of Employment and Training. On verification of the Employment Card produced by the individual, the following particulars of the individual were not tallying with Employment Exchange Records :-

- (a) Date of birth.
- (b) School
- (c) Qualifications

In view of the above, Commissioner of Employment and Training Hyderabad took the case with the Secretary Ministry of Defence, G of I and requested to remove the above MES-144419 Shri R Appa Rao, Mazdoor from service. On verification of documents Engineer-In-Chief's Branch, Army HQ, New Delhi ordered to take disciplinary action.

.....2/-

(A) (122)

2 :

ANNEXURE III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED
AGAINST SHRI TULJARAM, SAFAIWALA ARE PROPOSED TO BE SUSTAINED

1. Letter No NB/3874/91 dated 10 Jan'92 issued by Shri Deepak Kumar Pannan, IAS, Commissioner of Employment and Trg.
2. CWE (AF) Secunderabad letter No.12020/136/EIC dated 01 Apr'92.
3. Chief Engineer Hyderabad Zone Secunderabad letter No.10548/AF/26/141/EIC dated 09 Apr'92.
4. Chief Engineer Hyderabad Zone Secunderabad letter No.10548/AF/26/198/EIC dated 24 May'94.

ANNEXURE IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED
AGAINST SHRI TULJARAM, SAFAIWALA ARE PROPOSED TO BE SUSTAINED

Documentary.

FAIR LISTED

CASE

(28/98) on 29-1-98 (29-1-98)

IN THE CENTRAL ADMINISTRATIVE TRI-
BUNAL AT :: HYDERABAD

O.A.NO. 1354 of 1997

Remuneration
28/1/98

REJOINDER



May be filed
28/1/98

Mr. K.Venkateswara Rao

Counsel for the Applicant.

OA NO : 1354 OF 1997

BETWEEN:

SHRI R APPA RAO

..... APPLICANT

AND

Chief Engineers (FY)
Hyderabad, Secunderabad and another

.... RESPONDENTS

ADDITIONAL REPLY AFFIDAVIT FILED ON BEHALF OF THE
RESPONDENTS

1. I, IC-3364K Lt Col MS CHHATWAL MANMOHAN SINGH, s/o DARSHAN SINGH CHHATWAL aged about 46 years, occ : Offg CWE Secunderabad R/O Secunderabad do hereby solemnly affirm ~~and~~ state as follows :-
2. I am the Offg Commander Works Engineers, and Respondent No.2 and as such I am fully acquainted with all facts of the case. I am filing this additional reply affidavit on behalf of Respondents having been authorised to do so. This additional affidavit is filed on ~~xxxxx~~ being directed by the Hon'ble Tribunal to clarify some points.
3. It is respectfully submitted that the charge against the applicant is that the applicant has produced employment registration card wherein details of Date of Birth, School and Qualifications contains, are not tallying with the documents held by the Employment Exchange (Labour) Hyderabad. So the verification was conducted by Sri Deepak Kumar Panwar, IAS, Commissioner of Employment and Training, Hyderabad in the issue and he came to the conclusion that the employment card produced by the applicant along with others were found to be bogus. Consequently the Hon'ble Lokayukta AP also took cognisance of the issue basing on complaint made to him and consequently the Commissioner of Employment

attester

SC Datta
Adm Offr
CWE Secunderabad

DEPONENT

[Signature]
Lt Col
Offg Commander Works Engineers
Secunderabad.

[Handwritten signature]
22-10-98
21/10-98

and Training made an enquiry. The Commissioner also took up the cases with the Secretary, Ministry of Defence, Govt. of India and requested him to take disciplinary action against the applicant along with others. A charge memo dated 14-3-1995 was issued to the applicant (Annexure 4 page 20 of OA) alleging inter alia that the applicant has produced bogus employment card. The allegation made against the applicant were going to be proved basing on the documentary evidence only. The following documents are listed as Annexure-3 of the charge memo No 153/333/ELC dated 14-3-95 (A copy of Annexure III of charge memo is filed as R1) and no witnesses were cited in the charge sheet.


LIST OF DOCUMENTS

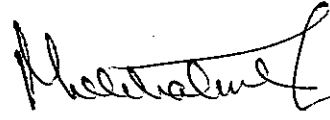
1. Lr No. N3/3374/91, dated 10 Jan 92 issued by Shri Deepak Kumar Panwar, IAS, Commissioner of Employment and Training.
2. CWE (AF) Secunderabad Lr No: 12020/136/ELC dated 01 April 1992.
3. Chief Engineer, Hyderabad Zone, Secunderabad letter No 10313/AF/26/141/LIC, dated 09 April 1992.
4. Chief Engineer, Hyderabad Zone, Secunderabad Lr. No. 10643/AF/26/193/ELC, dated 24 May 1994.

3. It is respectfully submitted that the applicant appeared before the oral inquiry held on 1-3-1996. The statement of the applicant is filed as Annexure R-II. The statement given by the applicant is extracted below :-

ATTESTER

DEPONENT


SC Datta
Adm Offr
CWE Secunderabad


Lt Col
Commander Works Engineer
Secunderabad

STATEMENT GIVEN BY SHRI R APPA RAO, MAZDOR OF GOLCONDA

MES-144419, Shri R Appa Rao, Mazdoor of GE Golconda having been duly warned states that I was appointed as Mazdoor in GE Golconda during Feb 1938. At the time of interview, I submitted all relevant documents which were original.

QUESTIONS BY INQUIRY OFFICER

Q1. Did you receive the charge sheet and reply to it ?

A1 YES

Q2 In which school did you study ?

A2 Jawahar Bal Sadhan Vidhyalaya, Chikkaapally, Hyderabad. I studies upto 8th class.

Q3 How did you obtain the school certificates ?

A3 I brought it myself

Q4 What is your age now ?

A4 I am 33 years old

Q5. Do you agree to the charges framed against you ?

A5 No, I am not guilt of the charges.

The above statement questions and answers were read over to the individual in the language he understands but refuses to sign it.

Dated : 01 March 1996

Sd/- x x x x x

(Shri D Subramani, AE B/R)

PRESENTING OFFICER


Sd/- x x x x x

(Lt Col VK Meni)

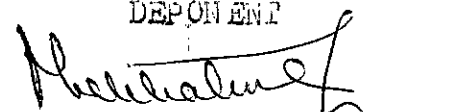
ENQUIRY OFFICER

So the above proceedings clearly shows that the applicant has not demanded original certificates produced at the time of recruitment. However some of the other employees who are also taken up disciplinary cases have demand to furnish the original documents submitted by them.

ATTESTER


SS Datta
Adm Offr
CWE Secunderabad

DEPONENT



Lt Col
Commander Works Engineer
Secunderabad

4

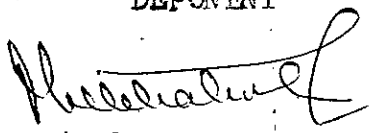
The delinquent employees who have demanded the copies of original documents were given opportunity to see the documents submitted by them. Since the applicant did not ask for those documents the question of furnishing such documents does not arise. The applicant admits that he received charge sheet that means that he received all the documents referred therein. Hence it is respectfully submitted that the contention of the applicant that he was not furnished original copies of the certificates which he has submitted at the time of interview and non furnishing of those documents would vitiate the enquiry is not tenable.

4. It is respectfully submitted that the allegation of the applicant that a common enquiry was conducted contrary to rules is denied. Infact, the enquiry officer conducted the enquiry individually and the applicant al so admits that he has appeared before the enquiry office, but the applicant has refused to sign the proceedings of the oral enquiry dated 1-3-1996. Whenever, the delinquent officer alleges any violation of rules by the enquiry officer or disciplinary authority, he should participate in the enquiry and he should have proved his alleged innocence before the enquiry officer. As stated above, the applicant had not only refused to sign the oral enquiry proceedings which were conducted on 1-3-1996 but also didnot avail the ~~xx~~ opportunity of engaging defence assistant. The Hon'ble Tribunal may kindly take note of the conduct of the applicant in refusing to sign the daily order sheet having appeared and deposed and it is a serious lapse on the part of the delinquent employee.

ATTESTER


SC Datta
Adm Offr
CWE Secunderabad

DEPONENT


Lt Col
offr Commander Works Engineer
Secunderabad

Whenever a person is supposed to depose before any Judicial/ quasi Judicial authority, one must suppose to answer the allegation or adduce necessary evidence and refusing to do the same is a serious misconduct and it should be viewed seriously and the same may be taken Judicial notice of by this Hon'ble Tribunal.

5. It is respectfully submitted that a detailed affidavit covering all the points raised by the applicant in the OA were already answered in the affidavit filed by the department and both the affidavits ~~filed by the department~~ may be read together.

6. It is respectfully submitted that our counsel may be permitted to cite the appropriate legal decisions at the time of hearing of the case.

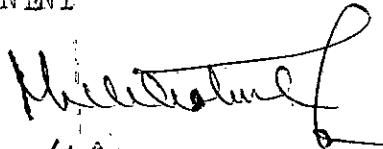
In view of the above submissions, the applicant has not made out any case and is only pointed out some pure technicalities which are not most relevant in departmental proceedings and the department has proved beyond doubt that the applicant has got employment by mischevious means and the offence is a serious one. He deserves maximum punishment. Hence there is no illegality committed by the department in imposing the impugned punishment.

In view of the above submissions, the Hon'ble Tribunal may be pleased to dismiss the OA.


Solemnly sworned and signed
his name on this day of 15th
June 1993 before me.

DEPONENT

BEFORE ME


Lt. Col.
Offr Commander Works Engineer
Secunderabad

APPEESTER


SC Datta
Adm Offr
CWE Secunderabad

REGISTER /ACK DUE
Commander Works Engineer
Mudfort, Secunderabad - 3

STANDARD FORM OF CHARGE SHEET FOR MAJOR PENALTIES
(Rule 14 of the CCS(C&A) Rules 1965)

MEMORANDUM

1. The undersigned proposes to hold an inquiry against MES-144419 Shri/977/ R. APPA RAO, MAZDOOR under Rule 14 of the Central Civil Services (Classification Control and Appeal) Rules, 1965. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure I). A Statement of the imputations of misconduct or misconduct or misbehaviour in support of each article of charge is enclosed (Annexure II). A list of documents by which, and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexures III and IV).
2. MES-144419 Shri/977/ R APPA RAO, MAZDOOR is directed to submit within 10 days of the receipt of this Memorandum a written statement of his defence and also to state whether he desires to be heard in person.
3. He is informed that an Inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny each article of charge.
4. MES-144419 Shri/977/ R. APPA RAO, MAZDOOR is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above, or does not appear in person before inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 14 of the CCS(C&A) Rules, 1965 or the orders/directions issued in pursuance of the said Rule, the inquiring authority may hold the inquiry against him ex-parte.
5. Attention of MES-144419 Shri R. APPA RAO, MAZDOOR is invited to Rule 20 of the Central Civil Services (Conduct) Rules 1964 under which no government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that MES-144419 Shri/977/ R. APPA RAO, MAZDOOR is aware of such a representation and that it has been made at his instance and action will be taken against him for Violation of Rule 20 of the CCS(Conduct) Rules 1964.
6. The receipt of the Memorandum may be acknowledged.

To

MES-144419
Shri R. Appa Rao, Mazdoor
(through Colconda, Hyderabad)

(DS Sarma)

Col

Commander Works Engineers

24/3

(2) (130)

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST MES-144419
SHRI R. APPA RAO, MAZDOOR OF GE COLCONDA

That the said MES-144419 Shri R. Appa Rao, Mazdoor at the time of recruitment has produced bogus employment registration card. The details like date of birth, school and qualifications are not tallying with the documents held by Employment Exchange (Labour) Hyderabad.

Thus MES-144419 Shri R Appa Rao, Mazdoor failed to maintain absolute integrity and acted in a manner of unbecoming of a Govt servant and thereby violated the provisions under Rule 3 (1) (iii) of CC2 (Conduct) Rules 1964 at the time of appointment.

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN
SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST MES-144419
SHRI R. APPA RAO, MAZDOOR

That the said MES-144419 Shri R. Appa Rao, Mazdoor at the time of recruitment has produced bogus employment registration card wherein the details of the date of birth, school and qualifications are not tallying with the documents held by Employment Exchange (Labour) Hyderabad.

Shri Deepak Kumar Panwar, IAS Commissioner of Employment and Training Hyderabad have called for the Identity Cards issued by the Employment Exchange of the selected candidates and appointed candidates. Employment Registration Cards were forwarded to Shri Deepak Kumar Panwar, IAS Commissioner of Employment and Training. On verification of the Employment Card produced by the individual, the following particulars of the individual were not tallying with Employment Exchange Records :-

- (a) Date of birth.
- (b) School
- (c) Qualifications

In view of the above, Commissioner of Employment and Training Hyderabad took the case with the Secretary Ministry of Defence, G of I and requested to remove the above MES-144419 Shri R Appa Rao, Mazdoor from service. On verification of documents Engineer-in-Chief's Branch, Army HQ, New Delhi ordered to take disciplinary action.

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SHRI R. APPA RAO, MAZDOOR OF GE GOLCONDA ARE PROPOSED TO BE SUSTAINED

1. Letter No N3/3874/91 dated 10 Jan 92 issued by Shri Deepak Kumar Panwar, IAS Commissioner of Employment and Training.
2. CWS (AF) Secunderabad letter No 12020/136/SIC dated 01 Apr 92.
3. Chief Engineer, Hyderabad Zone, Secunderabad letter No 10548/AF/26/141/SIC dated 09 Apr 92.
4. Chief Engineer, Hyderabad Zone, Secunderabad letter No 10548/AF/26/198/SIC dated 24 May 91.

Vol. Page 164

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SHRI R. APPA RAO, MAZDOOR ARE PROPOSED TO BE SUSTAINED

Documentary.

CONFIDENTIAL

ART II

(4)

132

PROCEEDINGS OF THE ORAL INQUIRY
HELD ON 01 MAR 96 IN THE OFFICE
OF CWE SECUNDERABAD IN CONNECTION
WITH THE ARTICLES FRAMED AGAINST
MES-1444~~19~~ (144419) SHRI R. APPA RAO,
MAZDOOR OF GE GOLCONDA.
MEMORANDUM BEARING NO 158/383/EIC
DATED 24 MAR 95 (14 MAR 95)
INQUIRY OFFICER AND PRESENTING
OFFICER APPOINTED VIDE CWE
SECUNDERABAD ORDER NO 158/552/EIC
AND 158/554/EIC DATED ~~02 MAR 95~~
02 MAY 1995

Statement given by Shri
R. Appa Rao, Mazdoor of GE Golconda.

MES-144419, Shri R. Appa Rao,
Mazdoor of GE Golconda, having been
dearly warned states that he was
appointed as Mazdoor in GE Golconda
during Feb 88. During the interview
I submitted all relevant documents
which were original.
Questions by Inquiry officer:

Q1 Did you receive the charge sheet
and reply to it?

A1 Yes

CONFIDENTIAL

Q2. In which school did you study?

A2. Jawahar Bal sashan Vidhyalaya
Chiklaadpally, Hyderabad. I
studied upto 8th class.

Q3. How did you obtain the school
certificate?

A3. I brought it myself.

Q4. What is your age now?

A4. I am 33 years old.

Q5. Do you agree to the charges
framed against you?

A5. No, I am not guilty of the
charges.

The above statement, questions and
answers were read over to the
individual in the language he
understands but refuses to sign it.

Dated 20 May 96

(Lt Col V K Rang)
SBDO
Inquiry Officer

Shubh
(Shri D. Subramani)
AF BIR
Representing officer

CONFIDENTIAL

File : 805641

Chief Engineer
Hyderabad Zone
Opp Parade Grounds
Sardar Patel Road
Secunderabad-500003

10548/AF/26/198 /E1C

24 May 94

Commander Works Engineer
Mudfort
Secunderabad-3

APPL YAM 8

IRREGULAR APPOINTMENT OF MAZDOORS AT CWE (AF)
MUDFORT SECUNDERABAD

1. Ref correspondence resting with your letter No 158/161/E1C dated 06 Nov 92.

2. Higher authorities have now advised to progress the disciplinary proceedings already initiated by your office against the defaulters. It has now been confirmed by E-in-C's Branch Army Headquarters that projecting a case for getting Govt sanction for double the probationary period is also not proper when a severe punishment is warranted. Therefore please process the disciplinary case on priority. The following action may please be taken :-

- (a) Departmental inquiry be conducted duly appointing IO/PO.
- (b) On receipt of IOs report, a copy of Inquiry Report be made available to all the SPSs and their version be obtained within 15 days.
- (c) On receipt of version from SPS's on IOs report, the CWE, being disciplinary authority, may finalise case and issue final orders at the earliest.

3. Chief Engineer directs that the case be finalised by 30 Jun 94 and progress report be rendered to this HQ by 15th & 30th of June 94 for information of Chief Engineer.

(PM Karnik)
Maj
S02 (P)
for Chief Engineer

Copy to :-

E1B Section
(Internal)

- A copy of CESC Pune letter No 130103/4-A/YHC/627/E1D dated 12 May 94 alongwith a copy of DO for letter No 78646/466/92/E1D dt 03 May 94 from Brig MJ Joseph, Offg ADCE(Pers), E-in-C's Branch Army HQ is forwarded for your further action.

IPS/*

CONFIDENTIAL

AN IV 7 126 135
CONFIDENTIAL

Tele 825641

Chief Engineer
Hyderabad Zone
Opp. Parade Ground
Sardar Patel Road
Secunderabad 500 003

10548/AF/26/141/E1C

09 Apr 92

Chief Engineer
HQ Southern Command
Pune-1

128/124
129/125

IRREGULAR APPOINTMENT OF MAZDOORS AT CUE (AF)
HQ FORT SECUNDERABAD

1. Reference your HQ letter No 132501/Rep/E1B(S) dated 09 Mar 92 addressed to CE (AF) Bangalore.
2. As per SP, CBI Hyderabad report received under your letter No 130103/4/A/573/E1D dated 12 Nov 91, action against the following individuals are to be taken for producing false transfer/educational certificates at the time of registering their names in the employment exchange to prove their age :-
 - (a) Shri N Jangaliah
 - (b) Shri V Rameswar
 - (c) Shri K Parameswar
 - (d) Shri S Narasinga Rao
 - (e) Shri Jeevan
 - (f) Shri V Raju
 - (g) Shri N Yadaiah
3. CUE Secunderabad has issued Memorandum of Charges to the above individuals and their replies received which are under scrutiny by CUE.
4. CUE (AF) Sec'dud vide his letter No 12020/136/E1C dated 01 Apr 92 has submitted a statement of case to CE (AF) Bangalore with a copy to this office. It could be seen from the correspondence received that names of another 68 candidates have been indicated vide Shri Deepak Kumar Panwar, I.A.S. Commissioner of Employment and Training, Hyderabad letter No. N3/3874/91 dated 10.1.92 for removing them from service. As desired vide para 3 of your HQ letter No 132501/Rep/E1B(S) dated 09 Mar 92, your HQ might have received the whole case through CE (AF) Bangalore.
5. Out of the list of 68 candidates, the names of six person against whom CBI has indicated for taking action vide para 2 above are figuring in the list and only one name i.e. Sri K Parameswar is not included in the list.
6. It is understood, except the above seven names against whom the disciplinary proceedings are in process, the probationary period has been lifted for others. However, information to this effect is being obtained. Decision, if any, for proceeding against the remaining individuals by higher authorities may please be intimated.

(PRK Murthy)

Capt
AD 1

for Chief Engineer

Copy to :-

1. CUE Secunderabad

- For information with ref to CUE (AF) letter No 12020/136/E1C dt. 1 Apr 92. Pl check your records for the persons employed under your jurisdiction and inform whether the probationary period has been lifted against them or otherwise.

2. CUE (AF) Sec'dud

- for info.

CONFIDENTIAL

128/E1C

(1396)

P-124

4. The documents as per details given were handed over to CBI Hyderabad Branch as desired by them for investigation:-

a) Documents handed over by Shri A Natarajan, OS Offg. AO II to Shri G.F.Jasudoss, SI CBI/SPE Hyderabad.

1) One Xerox copy of Board Proceedings for the categories for which recruitment has been done (Pages 1 to 74).

~~xxxxxx~~

ii) 4 Nos of Amendment letter in original to the original list of candidates received from D.E.O (Labour) Hyderabad.

iii) Despatch Register of CWE(A F) Secunderabad for the period from 01 Jan 88 to 28 Apr 88 (page 1 to 196) and 84 Nos postal acknowledgement cards.

iv) 71 Nos Transfer Certificates

v) 24 Nos community certificates

vi) 76 Nos PV Rolls

vii) 2 Nos SSC Certificates

viii) 1 No VII class certificate

ix) 3 Nos discharge Books (Ex-Servicemen)

x) 1 No School ~~Report~~ Record Sheet

xi) 28 Nos PV Rolls together with 7 Nos of verification letters from Police in respect of GE(AF) Secunderabad.

xii) 53 Nos PV Rolls in respect of GE(AFA) Hyderabad.

xiii) 80 Nos Employment Cards

0 CWE Madfort
0 Secunderabad

xiv) 64 Nos Postal acknowledgement cards

xv) Copy of Regional Employment Officer, Secunderabad letter No. A3/1084/88/dated 25 May 88 received under CE(P)FY Secunderabad letter No. 10548/AF/1/45/EIC dt 27 May 88.

xvi) List of Selected candidates (11 sheets).

Contd....3

b) Documents handed over by MES/255927 Shri Parkash Chand AO II CWE(AF)Secunderabad to Shri K.Jayanna, Inspector of Police, CBI/SPE Hyderabad on 16 Nov 1990, through Andhra Sub Area:-

- i) Folder containing LRS for filling the posts (Page 1 to 4)
- ii) Folder containing requisition on Employment Exchange for sponsoring candidate (Pages 1 to 5).
- iii) Folder containing Employment Exchange lists and letters (Pages 1 to 134).
- iv) Original Board Proceedings of Board of Officers held on 16 Nov 87 and subsequent days for selection of candidates for the post of Mazdoors, Chowkidars, Safaiwala and other categories (Pages 1 to 74).
- v) List of candidates interviewed by DEO on 30 May 88 and subsequent days and documents collected from individuals (Page 1 to 12).

5. Investigation was concluded by Supdt of Police, CBI/SPE/ Hyderabad and result of investigation was intimated vide their letter No.C2/3100/3/14(A)/89-Hyd dt 31.8.1991 addressed to the Commander, Headquarters, Andhra Sub Area, Secunderabad and copy endorsed to CE, Hyderabad Zone, Secunderabad (copy enclosed) received in this office from CE HQ Secunderabad vide their letter No.10548/AF/123/EIC dt 18.10.91. Perusal of the letter ibid will reveal that there is sufficient material to initiate action against Shri N.Jangaiah, V.Rajeshwar, K.Parameswar, S.Narasinga Rao, Jedson, V.Raju and N.Yadnaiah and suitable action as deemed appropriate be taken against them. From the letter No.N3/3874/91 dt 10.1.1992 from Shri Deepak Kumar Panwar, I.A.S., Commissioner of Employment and Training, Hyderabad addressed to the Secretary, Min of Def, Govt of India, New Delhi it will be seen that 68 cases, where in either father's name or other particulars did not tally with employment Exchange records or they have produced identity cards bearing forged signatures of Employment Officer have been intimated.

6. It is submitted that out of 68 individuals involved, 22 are serving under our area and remaining 46 serving under CWE Area.

7. It is submitted that in CBI report name of Shri K.Parameswar has been indicated for taking necessary action whereas his name is not in the list ~~forwarded~~ forwarded by Shri Deepak Kumar Panwar, I.A.S., Commissioner of Employment and Training, Hyderabad.


(H. S. Narula)

SE

Commander Works Engineers(AF)

AN 5 10 (c) 138

STATEMENT OF CASE

1. The Board of Officers as under assembled on 16 Nov 1987 and subsequent days for appointment of Mazdoors, Chowkidars, Safaiwalas and other categories.

a) Presiding Officer - MES/ 105102
Shri K Shankernarayanan, SE
DCWE B/R - CWE (AF) Secunderabad.

b) Members

1) MES/300156
Shri VP Sunnak, SE
GE (South) Secunderabad

11) MES/303408
Shri Ram Kishan, AE E/M
AGE E/M of GE (AF) Sec'bad

The Board was finalised and concurred by Shri AR Benerjee, SE (the then CWE(AF) Secunderabad) on 18 Jan 1988.

2. An anonymous complaint (copy enclosed) dated Nil addressed to Sri KK Mhonud'an, Commissioner and Director, Employment and training, Hyderabad copy endorsed to Chief Minister, Govt of A.P Hyderabad, Mr. P Siva Reddy, Hon'ble Minister, Minister for Employment, Govt of A.P Hyderabad and Justice Dr. A. Sambasiva Rao, Lok Ayukta, Somajiguda, Hyderabad and others bringing out alleged irregularities in connection with recruitment of Mazdoors was received through CE (P) Fy Secunderabad under their letter No. 10548/AF/1/35/EIC dt 21 Apr 1988 for comments. Necessary comments were offered to the anonymous complaint vide our letter No. 12020/ 632/EIC dt 28 May 88 (copy enclosed). Simultaneously, the Dist Employment Officer Hyderabad contacted CWE(AF) Secunderabad in connection with the above and it was decided to call all the selected candidates for verification the identity cards, educational qualification certificates and cast certificate etc. Only 52 candidates reported and for remaining 80 candidates Shri AR Benerjee, SE intimated to enquire with concerned officer ie Col YV Bakshi, CWE Secunderabad as these candidates were allotted to his unit. Col YV Bakshi, CWE Secunderabad expressed his inability to call the candidates at his level, but promised to do so if he gets permission from the CE(P) Fy Secunderabad. Subsequently out of 83 candidates, 73 candidates were interviewed by Dist Employment Officer (Labour) Hyderabad and their particulars were verified and signatures of individuals obtained. Remaining 10 candidates also reported to DEO (Labour) Hyderabad in his office for verification of particulars.

3. Subsequently the details of the candidates who were selected for the post of class IV categories from 1987 onwards were called for by Superintendent of Police, CBI, Hyderabad vide their letter No 1838/C6/1(11)/95(A)/88-Hyd dt 6.6.1988 and Shri GF Jesudoss, S.I/CBI/SE was detailed to visit this office for the purpose.

Contd2

4. In response to our requisitions mentioned above, the details of candidates sponsored by Employment Exchange Hyderabad and Employment Exchange, Rangareddy, District, Hyderabad and selected is given as under :-

Sl. Category No.	Candidates sponsored by Employment Exchange Hyderabad	Candidates sponsored by Employment Exchange Rangareddy Dist. Hyderabad	Candidates Selected.
1. Mazdoors	1271	920	125
2. Chowkidars	208	60	14
3. Safaiwala	80	—	5

5. It is brought out that 137 Mazdoors (including 12 Ex-servicemen) were selected and allotted to the various formations under CWE (AF) Secunderabad and CWE Secunderabad and not to GE (AFA) Dundigal only as mentioned in the letter. Employment Officer (Labour) Hyderabad visited this office and interviewed/verified relevant documents of the selected candidates as broadly explained in Statement of Case under para 2. In the 68 cases list received under letter from Sri Deepak Kumar Panwar, I.A.S., Commissioner of Employment and Training, Hyderabad, dt 10-1-1992, 46 candidates are serving under CWE Secunderabad Area and 22 candidates under CWE (AF) Secunderabad area.

Para 2

The effected 68 candidates have been suggested to be removed from service and fill the vacancies through Employment Exchange. It is submitted that the case has already been investigated by CBI Hyderabad Branch, Hyderabad and suitable action as deemed appropriate is to be taken against Seven (7) individuals (Para 5 of Statement of Case refers). Shri K Parameswar against whom the action has been suggested by CBI Hyderabad Branch, Hyderabad is not found reflected in the list of 68 candidates (Para 7 of Statement of Case refers).

The case may kindly be examined in the light of position brought forward above and action in this regard to be taken be advised.



(HS Narula)
SE
Commander Works Engineers (AF)

AN VI

12
(u)

140

PARA WISE CONTENTS ON THE LETTER FROM SRI DEEPAK KUMAR PANWAR, I.A.S.,
COMMISSIONER OF EMPLOYMENT AND TRAINING HYDERABAD ON HIS LETTER NO.
NB/3874/91, DATED 10-1-1992

Para 1

1. Requisition bearing No.11075/658/E1B dt 30-7-1987 for Seventy (70) vacancies of mazdoors (not Sixty as stated) as per breakdown given below was forwarded to District Employment Officer (Labour), District Employment Exchange, Hyderabad under our letter No.11075/659/E1B dt 30-7-1987.

- a) SC - 11 Nos (Eleven)
- b) ST - 4 Nos (Four)
- c) X-Servicemen 10 Nos (Ten)
- d) General 45 (Forty Five)

70

2. In addition to above Two more requisitions bearing No. 11075/657/E1B dt 30-7-1987 for Seven (7) Chowkidars and No.11075/656/E1B dt 30-7-1987 for Five (5) Safaiwals were forwarded under out above cited letter. Simultaneously Two more requisitions bearing Nos 11075/661/E1B dt 30-7-1987 for Seventy One (71) Mazdoors and 11075/660/E1B dt 30-7-1987 for Five (5) Chowkidars were forwarded under our letter No.11075/662/E1B dt 30-7-1987 to District Employment Officer (Labour), District Employment Exchange, Rangareddy District, Begumpet, Hyderabad.

3. It is relevant to submit that LRS for appointment of following categories was received under Chief Engineer, Mazdras Zone, Madras letter No.100032/1723/E1B(R) dt 01-7-1987 and it was directed vide Chief Engineer Madras Zone, Madras letter ibid that Board for recruitment for both CWE (AF) Secunderabad and CWE Secunderabad will be conducted by CWE (AF) Secunderabad. One officer from CWE Secunderabad was to be associated in the Board.

SlNo.	Category	CWE (AF) Sec'bad	CWE S'bad	Total
1.	Mazdoors	(Out of 66, 10 allotted to GE Bidar for appointment.	85	151
2.	Chowkidars	8	8	16
3.	Safaiwalas	-	5	5
				<u>172</u>

Contd..... 2

Tele: 848954

SPEED POST

Commander Works Engineers (A.F.)
Midfort, Secunderabad - 500 002

12020/136 /E1C

Apr 1992

Chief Engineer (A.F.)
No. DC Area
MES Road
Bangalore - 560 022

IRREGULAR APPOINTMENT OF MAZDOORS AT CME (AF) MIDFORT, SECUNDERABAD AD

1. Reference your HQ letter No.126029/AF/2/MD dated 21 Mar 1992.
2. The detailed para-wise comments and Statement of Case as desired vide your above cited letter is forwarded herewith.
3. It is submitted that out of 68 candidates, 22 candidates are serving under our area and remaining with CME Secunderabad area.
4. Since the case has already been investigated by CBI Hyderabad and action against 7 individuals has been suggested you are requested to advise further course of action in the matter.

(HS Virula)
SE

Commander Works Engineers (AF)

Encl: 16 Sheets.

Copy to:-

Chief Engineer
Hyderabad Zone
Secunderabad - 3
CME Secunderabad - 3

for information and necessary
action with a copy of CE SC Pune
letter No.132501/Rep/E1B(S) dt
09 Mar 1992 together with its
enclosures.

AN VIII 14 (18)
(142)

Government of Andhra Pradesh

From:
Sri Deepak Kumar Panwar, I.A.S.,
Commissioner of Employment and
Training, 3rd floor, 'D' Block,
BRKR Government Offices Complex,
Tankbund Road, Hyderabad-29.

To
The Secretary,
Ministry of Defence,
Government of India,
New Delhi.

Letter No. NB/3874/91, dated 10-1-92.

Sir,

Sub:- Recruitment of Mazdoors at Military
Engineering Services, Air Force, Mudfort -
Regarding.

Ref:- Commander Works Engineer (AF) Mudfort,
Secunderabad - notification of vacancies of
Mazdoormates, Safaiwala & Watchman
vide 11075/658/B, dated 30-7-87.

WJF
nt Dinsup &
nte before
...
The Lok Ayukta, Andhra Pradesh, Hyderabad forwarded a complaint with regard to appointments made by Commander Works Engineer, MES, Mudfort, Secunderabad. The Regional Employment Officer, Hyderabad enquired into the matter. From the Regional Employment Officer's report it is observed that the Commander Works Engineer, MES, Mudfort, Secunderabad notified 60 vacancies of Mazdoormates, 5 vacancies of Safaiwala and 11 vacancies of Watchman to the District Employment Officer (Labour) Hyderabad vide letter No. 11075/658/313, dated 30-7-87. Against these notified vacancies candidates were sponsored by the District Employment Officer (Labour), Hyderabad in separate lists dated from 7-9-87 to 23-10-87. It was informed by the Superintending Engineer CME (AF) that about 135 candidates were selected and appointment orders were issued and the candidates were allotted to the Air Force Academy (Dundigal) and Air Force Station at Mudfort. After discussing the issue, Sri A.R. Banerji the then Superintending Engineer, agreed to call the selected candidates and called the candidates on 9-5-88 and 12-5-88 for verification of genuineness of the selected candidates. On the above two dates only 52 have reported and out of them 21 candidates were selected and appointed by producing bogus identity cards/bonus certificates. With regard to calling the remaining selected candidates the Superintending Engineer, CME informed that he would not call the next batch of selected candidates unless he receives permission from the Chief Engineer, Secunderabad. And on taking up the issue with the Chief Engineer, Project and Factories, Parade Grounds, Secunderabad the remaining selected candidates were called for verification on 30-5-88. Out of the total of 135 candidates selected 10 candidates did not report at all for verification of the genuineness of the identity cards/certificates etc. Out of those reported for verification, in respect of 68 cases it is observed that either father's name or other particulars did not tally with Employment Exchange records or they have produced identity cards bearing forged signatures of Employment Officers.

I request you to arrange to remove the persons who were found to be not genuine (list enclosed) and fill the vacancies by genuine persons through the Employment Exchange.

Yours faithfully

20/11/92 Immediate action
20/11/92

1) Addl. Aff.avit to be
filed by way of MA.

17/6/98



objection
coupling

Addl. Affidavit
filed on the date
given by the Bench
this

17/6/98

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

O.A. NO: 1354 OF 1997

Addl.
REPLY AFFIDAVIT / WRITTEN
STATEMENT

FILED ON BEHALF OF
RESPONDENT(S) NO:

Memorandum
filed on

FILED ON: 16/6/98

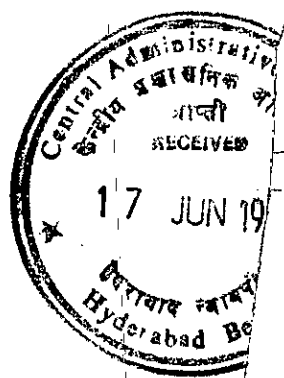
4/6/98
MAY 1998

20/6/98

h

FILED BY:

V. RAJESWARA RAO
ADDL. C.G.S.C.,
S.C. FOR RAILWAYS



(144)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

MA.1147/97 in OA.1354/97

Between:

Dated: 10.12.1997.

1. The Chief Engineer, Hyderabad Zone
MES, Secunderabad.

2. The Commander Works Engineer,
Mudfort, Secunderabad.

Applicants/Respondents.

And

R. Appa Rao

Respondent/Applicant.

Counsel for the Applicants : Mr. V. Rajeswara Rao

Counsel for the Respondents : Mr. K. Venkateswara Rao

CORAM:

THE HON'BLE MR. R. RANGARAJAN : MEMBER (A)

* * *

THE TRIBUNAL MADE THE FOLLOWING ORDER:-

Heard Mr. V. Rajeswara Rao for the applicants in the MA and
Mr. K. Venkateswara Rao for the respondents in the MA.

This MA is filed for time till 28.02.1998 for filing reply.
Time is extended upto 15.1.1998. No further extension will be given.
The OA may be listed on 19.1.1998 immediately below admission.

The MA is ordered accordingly.

[Signature]
Deputy Registrar

MA.1147/97 in DA.1354/97

Copy to:-

1. The Chief Engineer, Hyderabad Zone, MES, Secunderabad.
2. The Commander Works Engineer, Mudport, Secunderabad.
3. One copy to Mr. V. Rajeswara Rao, Addl.CGSC., CAT., Hyd.
4. One copy to Mr. K. Venkateswara Rao, Advocate, CAT., Hyd.
5. One duplicate.

srr

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M (J)

Dated: 10/12/97

ORDER/JUDGMENT

M.A./R.A./G.A. NO. 1147/97

in

O.A. NO. 1354/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

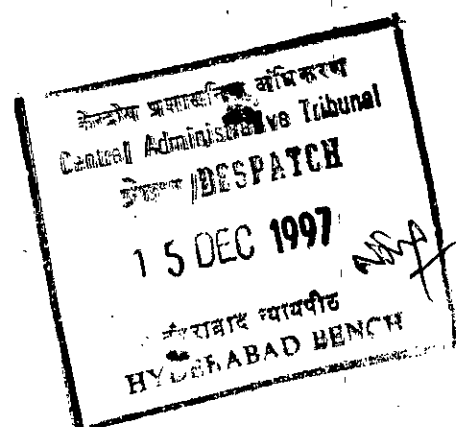
Ordered/Rejected

No order as to costs.

Wm on 18-12-98

YLKR

II Court



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.

..

O.A.No.1354 of 1997.

Date of decision: 25th June, 1998.

--

Between:

R. Appa Rao. Applicant.

And

1. The Chief Engineer, Hyderabad Zone,
MES, Secunderabad.
2. The Commander, Works Engineer, Mudfort,
Secunderabad. Respondents.

Counsel for the applicant: Sri K.Venkateswara Rao.

Counsel for the respondents: Sri V. Rajeswara Rao.

CORAM:

Hon'ble Sri R. Rangarajan, Member (A)

Hon'ble Sri B.S.Jai Parameshwar, Member(J)

O R D E R.

(per Hon'ble Sri B. Jai Parameshwar, Member(J)

--

Heard Sri K.Venkateswara Rao, the learned counsel
for the applicant and Sri V.Rajeswara Rao, the learned counsel
for the respondents.

JL ✓

The applicant herein was working as Mazdoor under CE, Golconda, Hyderabad. His number is MES - 144419.

He was served with a Memorandum of Charges in Pros., No.158/383/ETC dated 14.3.1995 (Page 20, Annexure IV to the O.A.) The charge levelled against the applicant reads as follows:

"That the said MES-144419 Sri R.Appa Rao, Mazdoor at the time of recruitment has produced bogus employment registration card. The details like date of birth, school and qualifications are not tallying with the documents held by Employment Exchange (Labour) Hyderabad.

Thus MES-144419 Sri R.Appa Rao, Mazdoor failed to maintain absolute integrity and acted in a manner of unbecoming of a Government servant and thereby violated the provisions under Rule 3(1)(iii) of CCS(Conduct)Rules 1964 at the time of appointment."

An Enquiry Officer of the rank of Lt.Col. was appointed. It appears that there were other 41 Mazdoors who were charged with similar misconduct.

Je

The Enquiry Officer conducted an oral inquiry. During the course of the oral enquiry, certain mazdoors gave statements and refused to sign the statements given by them, certain mazdoors refused to give their statements and only two of the mazdoors gave their statements and signed them. The Enquiry Officer has given his general findings, that is to say, he has not discussed the case of the each individual. He has not stated in what manner, in this particular case, the applicant had committed the mis-conduct as well as in the case of other mazdoors. He has not stated what were the particulars that were furnished by the applicant at the time of his appointment were false ones. He has not stated what were the particulars that the applicant had earlier furnished to the Employment Officer when he registered his name with the Employment Exchange. He has not given specific finding that the identity card produced by the applicant was a bogus one.

He gave his report by making a general observation stating that "it is established that all the 42 individuals have obtained and produced false and forged school naming certificates at the time of recruitment in the Department." This observation of the Enquiry Officer, we feel, a generalised one and does not indicate any finding against ^{or}as to the misconduct of any particular individual Mazdoor.

Je

A copy of the report of the Enquiry Officer was furnished to the applicant. Thereafter the Disciplinary Authority by its Proceedings bearing No.158/159/EIC dated 30.6.1997 accepted the findings of the Enquiry Officer and imposed the punishment of dismissal from service on the applicant. The order of the Disciplinary Authority is at page 16 of the O.A.

On going through the order of the Disciplinary Authority we find that the Disciplinary Authority has mechanically accepted the report of the Enquiry Officer and passed the impugned order imposing the ~~extreme~~ penalty of dismissal of the applicant from service.

Against the Order dated 30.6.1997 the applicant approached this Tribunal by filing O.A.No.913/97 which was disposed of on 23.7.1997. That O.A., was disposed of on 23.7.1997 directing the applicant to submit an appeal to the appellate authority. The Tribunal further directed the Appellate Authority to adjudicate the case on the basis of the material submitted by the applicant. In pursuance of the above directions, the applicant submitted an appeal which was disposed of by the Appellate Authority vide Proceedings No. 10548/AF/26/592/EIC dated 30.9.1997 (Annexure A-2 page 17 of the O.A.)

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The applicant has filed this O.A., to call for the records relating to Order No.158/759/EIC dated 30.6.1997 passed by the Commander Works Engineer, Mudfort, Secunderabad and Order No.10548/AF/26/592EIC dated 30.9.1997 passed by the Chief Engineer Hyderabad Zone, MES Secunderabad and communicated to the applicant by the Garrison Engineer, MES, Golconda, vide his letter No.105/APPT/148/EIC dated 1.10.1997 and to quash the same and consequently declare that the applicant is entitled to continue in service from 1.7.1997 with all consequential benefits.

The respondents have filed their counter stating that the charges made against the applicant are that the applicant had produced bogus employment registration card at the time of recruitment and that the bogus employment registration card contained ~~certain~~ particulars regarding the date of birth of the applicant and the school where he had studied and the qualifications and those particulars were not tallying with the documents held by the Employment Exchange (Labour) Hyderabad. The respondents submit that these irregularities came to light when a complaint^{was} made to the Hon'ble Lok Ayukta, Andhra Pradesh alleging illegal selection and on that basis the Commissioner of Employment and Training made preliminary inquiry. The Commissioner of Employment and Training took up the case with the Secretary, Ministry of Defence, Government of India and requested him to take

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disciplinary action against the applicant. Accordingly, on verification of the documents the Engineer in Chiefs Branch, Armed Headquarters, New Delhi ordered to initiate disciplinary action against the applicant. The respondents state that on that basis the applicant was served with Memorandum of Charges. They further submit that the Enquiry Officer conducted the enquiry for each individual separately and did not enforce Rule 14(18) of the CCS(CCA) Rules, 1965. They submit that in case the charged employee was in need of any document, he could have requested the Enquiry Officer during the enquiry and that the Charged employee had not done so. They submit that the documents/particulars of date of birth/school of study and qualifications submitted by the Charged employee at the time of initial appointment were not tallying with the records maintained/available in the Employment Exchange. Thus they submit that there are no grounds to interfere with the impugned orders and the O.A., has to be dismissed.

The respondents also relied upon the letter dated 10.1.1992 of the Commissioner of Employment and Training, Hyderabad addressed to the Secretary, Ministry of Defence, Government of India, New Delhi (Annexure VIII Page 14 to the reply) to contend that they have made verification in respect of 68 cases in regard to father's name or other particulars which did not tally with the Employment Exchange records and that they have produced

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identity cards bearing forged signatures of the Employment Officer.

On going through the report of the Inquiry Officer and the impugned orders, we feel that the Inquiry Officer has not strictly followed the principles of natural justice while conducting the enquiry. As already observed above, the Inquiry Officer had given his general finding in respect of all the 42 Mazdoors who had appeared before him.

The Disciplinary Authority has mechanically accepted the findings of the Enquiry Officer which in our opinion is not a judicious one. At least, the Disciplinary Authority while passing the Order should have indicated in the order as to what documents, he found as questioned documents and as to why he had agreed with the findings of the Inquiry Officer.

The Appellate Order is dated 30.9.1997. It is Annexure II. The Appellate Order in our opinion is bereft of reasons. The appellate Authority has not considered the grounds raised by the applicant in his Memorandum of Appeal. Though the Appellate Authority attempts to comply with sub-rule(2) of Rule 27 of the C.C.S.(C.C.A.)Rules, it has not given a specific finding that the reasoning given by the Disciplinary Authority was correct and unassailable. In this connection



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Para 2 of Rule 27 of C.C.S.(C.C.A.)Rules is relevant.

It reads as under:

" 2. Sub-rule(2) of Rule 27 clearly lays down
that the appellate authority shall consider --

- (a) whether the procedure laid down in the C.C.S.(CCA)Rules has been complied with and if not whether such non-compliance has resulted in the violation of any provisions of the Constitution of India or in the failure of justice;
- (b) whether the findings of the disciplinary authority are warranted by the evidence on record; and
- (c) whether the penalty is adequate, inadequate or severe.

Thus the rule requires that even if the appellant has not brought out any new points in the appeal, it is obligatory on the part of the appellate authority to discuss how there has been no procedural flaw or denial of opportunity of defence and that the findings of the disciplinary authority are based on evidence and are just. This is rarely done and the result is obvious. It has also created a feeling (though may not be quite correct) that the decisions of the appellate authority are arbitrary and summary in nature. The appellate authorities should bear this in mind and issue the appellate orders in such a way that such unjust feelings or impressions are not created. This is possible only if the appellate orders discuss thoroughly the following points:-

- (i) the procedural aspects as well as the justness of the findings of the disciplinary authority with reference to the admissible evidences;
- (ii) a proper discussion of the points raised in the appeal; and

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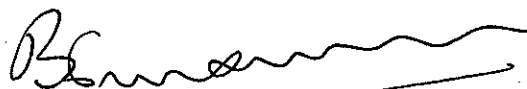
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(iii) any objective assessment of the lapse on the part of the punished official with a view to coming to a decision that the charge(s) had been established and that the penalty is appropriate/adequate and does not require to be either toned down or enhanced."

In our opinion, the Appellate Authority has not passed a speaking order.

In this view of the matter, we feel it proper to set aside the order of the Appellate Authority d/30.9.1997 and the order of the Disciplinary Authority dated 30.6.1997 and direct the respondent authorities to conduct a de novo enquiry from the stage of issuance of the Memorandum of Charges dated 14.3.1995 and receipt of the written statement in defence/explanation of the delinquent employee.

This O.A., is disposed of with the above directions. There will be no order as to costs.



B.S. JAI PARAMESHWAR,
Member (J)

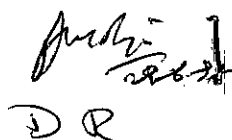
25.6.98



R. RANGARAJAN,
Member (A)

Date: 25th June, 1998.

Dictated in open court.


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Copy to:

1. The Chief Engineer, Hyderabad Zone,
MES, Secunderabad.
2. The Commander, Works Engineer,
Mudfort, Secunderabad.
3. One copy to Mr.K.Venka-teswara Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr.V.Rajeswara Rao, Addl.CGSC, CA, Hyderabad.
5. One copy to D.R(A), CAT, Hyderabad.
6. One copy to H.B.S.J.P., M (J), CAT, Hyderabad.
7. One duplicate copy.

YLKR

27/98
(7)

II COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M (3)

1 DATED: 25/6/98

ORDER/JUDGMENT

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

in
O.A.NO. 1354/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS
DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal प्रेषण / DESPATCH - 1 JUL 1998 हैदराबाद न्यायपीठ HYDERABAD BENCH
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