

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A. No. 130/2009  
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12/09/2015  
SECTION OFFICER (JUDL.)

9.9.2015

FROM NO. 4  
( See Rule 42 )  
CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDERSHEET

1. Original Application No: 130 /2009  
 2. Misc Petition No \_\_\_\_\_  
 3. Contempt Petition No \_\_\_\_\_  
 4. Review Application No \_\_\_\_\_

Applicant(S) Kharag Singh

Respondant(S) M. O. I Toms

Advocate for the Applicant(S): Chintu Baishya

M.K. Verma, K. Gogoi

Advocate for the Respondant(S): 6 C&C

Notes of the Registrar	Date	Order of the Tribunal
<p>This application is in form is filed/C F. for Rs. 50/- deposited vide IPO/BD No...<u>396</u>...<u>460</u>...<u>393</u>            Dated...<u>2.2.09</u>  <i>Narain</i>            Dy. Registrar</p> <p>Petitioner's copies for issue notices are received with envelopes, under sealing given for service copy.</p> <p><u>27/3/09</u></p> <p>Received copies of the order dated 02/07/09 for the applicant and for the advocate for the applicant <u>3/7/09</u>.</p>	<p>03.07.2009</p> <p>/bb/</p>	<p>Heard Mr.C.Baishya, learned counsel for the Applicant and Mr.G.Baishya, learned Sr. Standing counsel for the Govt. of India (to whom a copy of this O.A. has already been supplied) and perused the materials placed on record.</p> <p>For the reasons recorded separately, this case stands disposed of.</p> <p style="text-align: right;"><i>(Signature)</i> (M.R.Mohanty) Vice-Chairman</p>

5.7.09

order dt 3.7.09  
send to D/S for issue  
- the same to the Applicant  
and to all Respondents and  
free copies to the Counsel.

ndk No: 3818 to dt. 20/7/09  
3822

5/7/09

5/8/09

order along with Notice  
dtl 3/7/09 send to D/S  
for issue the same to  
~~the applicant and to all~~  
Respondts 2 to 5  
D/No. 9193 to 9196  
Dtd. 5/8/09.

5/8/09

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 130 of 2009

Date of Decision : 03.07.2009

Sri Kharag Singh

..... Applicant/s

Mr. C. Baishya.

..... Advocate for the  
Applicant/s

- Versus -

U.O.I. & Ors.

..... Respondent/s

Mr. G. Baishya, Sr. C.G.S.C.

..... Advocate for the  
Respondents

CORAM

THE HON'BLE MR. MANORANJAN MOHANTY, VICE-CHAIRMAN

1. Whether reporters of local newspapers may be allowed to see the Judgment ? Yes/No
2. Whether to be referred to the Reporter or not ? Yes/No
3. Whether their Lordships wish to see the fair copy of the Judgment ? Yes/No

Vice-Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 130 of 2009

Date of Order: This, the 3<sup>rd</sup> Day of July, 2009.

HON'BLE MR. MANORANJAN MOHANTY, VICE - CHAIRMAN

Shri Kharag Singh (Mazdoor T. No. 2891)  
Son of Mr. Gordhan Singh  
Resident of Satgaon Army Camp  
(222 ABOD) Block- E, QTR. No. 214  
Satgaon  
District- Kamrup, Assam

Applicant

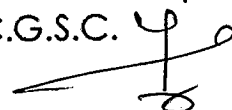
By Advocate : Mr. C. Baishya, Advocate.

-Versus-

1. The Union of India  
Represented by the Secretary  
Ministry of Defence  
Government of India, New Delhi.
2. Col - Commandant  
222 ABOD  
C/o 99 APO.
3. Administrative Officer  
Administrative Branch, 222 ABOD  
C/o. 99 APO.
4. Offg. Adm. Commandant  
222 ABOD, Stn. Cell HQ 51 Sub Area  
(Civ Est).  
B.S.O., Narengi.
5. Enquiry Officer  
Asstt. Commercial Manager  
(PRS), N.F. Railway  
Station Road, Guwahati- 781001.

Respondents

By Advocate : Mr. G. Baishya, Sr. C.G.S.C.



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O.A. No. 130 of 2009  
Oral Order  
03.07.2009

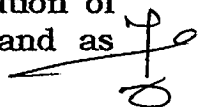
MANORANJAN MOHANTY, (V.C.)

(1) Heard Mr. C. Baishya, learned counsel appearing for the Applicant and Mr. G. Baishya, learned Sr. Standing Counsel for Govt. of India (to whom a copy of this O.A. has already been supplied) and perused the materials placed on record.

(2) It has been disclosed; in the present Original Application filed (on 02.07.2009) under Section 19 of the Administrative Tribunals Act, 1985; that the Applicant, a Mazdoor/T.No. 2891 at 222 ABOD C/o 99 APO, was arrested by Railway Protection Force on 24.07.2008 (and was, subsequently, released on bail on 15.09.2009) for his involvement in a Criminal Case. On 26.09.2008 Respondent No. 3 enquired (from the Applicant) to know about the 'arrest' in question. Later, he was placed under Suspension (w.e.f. 17.10.2008) by order dated 15.10.2008. (It has been disclosed further that the Applicant was called to an enquiry (on 08.04.2009) being held against an Employee of the Railway on a Major Penalty Charge-sheet dated 27.11.2008) Applicant (who is in occupation of Quarter No. 214 in Block E of Satgaon-Narengi Camp of C/o 99 APO; by virtue of an allotment order dated 13.03.2006) has alleged that he is under threat of eviction from Quarter in question in an arbitrary/forcible manner. Applicant apprehends that he may be evicted from Quarter No. 214 at any point of time.

(3) Ground set-forth in this O.A. are as under :-

5.1. For that the impugned action, of the respondents more particularly respondent No.2, 3 and 4 are in violation of the Constitution of India and principal of natural justice and as



such the impugned actions of the respondents are not sustainable in the eye of law and are liable to be stayed.

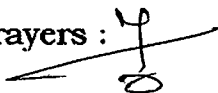
- 5.2. For that the impugned actions of the respondents are very illegal and arbitrary as the respondents have not provided any reasonable opportunity to the applicant while not issuing any notice or charges against the disciplinary proceedings initiated since 15.10.08 and as such the impugned actions of the respondents are not sustainable in the eye of law and are liable to be stayed.
- 5.3. For that the impugned actions of the respondents are illegal and arbitrary while directing the applicant verbally to vacate the official Qtr. No. 214 allotted in the name of the applicant without any notice and as such the impugned actions of the respondents are not sustainable in the eye of law and are liable to be stayed until disposal of the pending legal proceedings.

(4) Applicant has prayed, in this O.A., as under :

- 8.1. That the Hon'ble Tribunal be pleased to stay the operations of the suspension order vide No. 1509/DIS/KS/15/ADM dated 15.10.08 (Annexure- B) issued by the respondent No. 2 from 222 ABOD, C/o. 99 APO until disposal of the enquiry vide major penalty charge sheet No. D/DCM/GHY/DAR/08 dated 27.11.08.
- 8.2. That the Hon'ble Tribunal pleased to direct the respondents, more particularly respondent No. 2, 3 and 4 to allow the applicant to stay in Qtr. No. 214 at Satgaon Army Camp with his family until disposal of all the legal proceedings whatsoever pending against the applicant.
- 8.3. Cost of the application.
- 8.4. Any other relief/reliefs to which the applicant is entitled for as this Hon'ble Tribunal may deem fit and proper.

(5) Applicant has also, in this O.A., made the following interim

prayers :

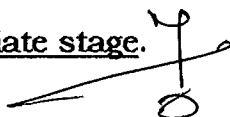


- 9.1. That the Hon'ble Tribunal may be pleased to stay the operations of the suspension order vide No. 1509/DIS/KS/15/ADM dated 15.10.08 until disposal of the enquiry vide major penalty charge sheet No. C/DCM/GHY/DAR/08 dated 27.11.08 issued by the respondent No. 5 till disposal of this original Application.
- 9.2. That the Hon'ble Tribunal be pleased to direct the respondent No. 2, 3 and 4 to allow the applicant to stay in his official quarter No. 214, Block- E at Satgaon Army Camp until disposal of this original application.
- 9.3. That the Hon'ble Tribunal be pleased to observe that pending of this application shall not be a bar to the respondents to provide relief/reliefs prayed for.

(6) Thus, the main prayers and interim prayers are almost the same in this case.

(7) Applicant has been placed under suspension by an order dated 15.10.2008 (w.e.f. 17.10.2008) after his arrest on 24.07.2008 and detention beyond 48 hours/up to 15.09.2008 in a Criminal Case.

(8) Instead of moving the authorities with prayer to revoke the suspension order, the Applicant has approached this Tribunal with prayer to stay the said order of suspension; without raising any valid ground. He is, as it appears, Getting "Subsistence allowances"; which is 50% of his last pay. Thus, his prayer for stay of the suspension order (after 8 months of its operation) can not be entertained by this Tribunal at this stage. However, the Applicant shall remain free to approach his authorities with prayer (representation in writing) to revoke the suspension order/for his re-instatement; which should receive appropriate consideration of the authorities by keeping in mind all aspect of the matter (including the gravity of the allegations leveled against the Applicant) at appropriate stage.



(9) As regard to the matter relating to retention/eviction from the quarter in question, the Respondents are directed not to evict the Applicant and his family from Quarter No. 214 at Satgaon Army Camp without following due process of law.

10. With the above observations and directions, this case is disposed of.

11. Send copies of this order to the Applicant and all the Respondents (along with copies of this O.A.) by Registered Post and free copies of this order be supplied to the Advocates appearing for the parties.

  
02/07/09  
(MANORANJAN MOHANTY)  
VICE-CHAIRMAN

/PB/

2 JUL 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench

DISTRICT :: KAMRUP

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
GUWAHATI BENCH, GUWAHATI

(An application U/S 19 of the Administrative Tribunal Act, 1985)

Title of the Case : O.A. No. 130 of 2009

Sri Kharag Singh . Applicant

(Mazdoor T. 2891)

- Vs -

Union of India & others: Respondents

S Y N O P S I S

This application is made against the impugned letter/order bearing No. 1509/DIS/KS/15/ADM dtd. 15.10.08 and also the illegal and arbitrary actions of the respondents No.2, 3 and 4 in respect of disciplinary proceedings against the applicant pending vide Order dtd. 15.10.08 issued by the suspending authority (respondent No.2) keeping the applicant under suspension with effect from 17.10.08 without further providing any notice or charges to the applicant for a reasonable opportunity to defend himself and moreover verbally informing the applicant to vacate the official Qtr. No. 214, Block - E of Satgaon Army Camp without any written notice or order.

Due to such illegal and arbitrary actions of the respondents the applicant had no other way but to approach this Hon'ble Tribunal for a direction to allow the applicant to stay in his official Qtr. till disposal of all legal proceedings and further stay the operation of the suspension order till disposal of the major penalty charge sheet No. C/DCM/GHY/DAR/08 dated 27.11.08 pending before respondent No.5. Hence this application.

Filed by

*Manoj Kumar Verma,*

(Advocate)

*Khanda Singh*

2 JUL 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench

DISTRICT :: KAMRUP

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
GUWAHATI BENCH, GUWAHATI

(An application U/S 19 of the Administrative Tribunal Act, 1985)

Title of the Case : O.A. No. 130 of 2009

Sri Kharag Singh : Applicant

(Mazdoor T. 2891)

- Vs -

Union of India & others: Respondents

LIST OF DATES

- 13.03.06 : Order of allotment of Qtr. No. 214, Block -E at Satgaon Army Camp, C/o. 99 APO in favour of the applicant. *Ann-D*
- 24.07.08 : The applicant was arrested by Railway Protection force in connection with allegation of using forged railway tickets. *1/2 + m. 5/12*
- 15.09.08 : Release of the applicant on bail.
- 26.09.08 : Letter from respondent No.3 asking confirmation of the applicant regarding arrest by R.P.F. *Ann-A*
- 15.10.08 : Order of suspension of the applicant while initiating disciplinary proceedings with effect from 17.10.08. *Ann-B*
- 27.11.08 : Major Penalty Charge Sheet No. C/DCM/GHY/DAR/08 issued by respondent No.5 and pending thereof.

Filed by

*Manoj Kumar*  
(Advocate)

*Kharag Singh*

*12*

2 JUL 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench

DISTRICT :: KAMRUP

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
GUWAHATI BENCH, GUWAHATI  
(An application U/S 19 of the Administrative Tribunal Act, 1985)

Title of the Case : O.A. No. 130 of 2009  
Sri Kharag Singh : Applicant  
(Mazdoor T. 2891)  
- Vs -

Union of India & others: Respondents

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2.	Verification	
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4.	Suspension Order dtd. 15.10.08	Annexure - B 12
5.	Letter dated 27.03.09	Annexure - C 14
6.	Order dated 13.03.06	Annexure - D 15

Filed by  
Manoj Kr. Verma,  
(Advocate)

Kharag Singh

2 JUL 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench

DISTRICT :: KAMRUP

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
GUWAHATI BENCH, GUWAHATI

ORIGINAL APPLICATION NO. 130 OF 2009

IN THE MATTER OF :

SRI KHARAG SINGH (Mazdoor T. No.  
2891)

SON OF MR. GORDHAN SINGH  
RESIDENT OF SATGAON ARMY CAMP  
(222 ABOD) BLOCK -E, QTR. NO. 214,  
SATGAON,

DISTRICT - KAMRUP, ASSAM

\_\_\_\_\_ APPLICANT

1. The Union of India  
Represented by the Secretary  
Ministry of Defence  
Government of India, New Delhi, 110001
2. Col - Commandant  
222 ABOD  
C/o. 99 APO
3. Administrative Officer  
Administrative Branch, 222 ABOD  
C/o. 99 APO

Contd....

Kharaq Singh

2 JUL 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench

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4. Offg. Adm. Commandant  
222 ABOD, Stn. Cell HQ 51 Sub Area  
(Civ Est).  
B.S.O., Narengi - 27

5. Enquiry Officer  
Asstt. Commercial Manager  
(PRS), N.F. Railway  
Station Road, Guwahati - 781001

\_\_\_\_\_ Respondents

Details of Application

Particulars of the Letter/Order against which this application is made:

This application is made against the impugned Letter/Order bearing Ref. No. 1509/DIS/KS/15/Admn. Government of India, Ministry of Defence dated 15.10.2008 (ANNEXURE - B) and also the illegal and arbitrary actions of the respondents, more particularly respondent No.2, 3 and 4 in respect of disciplinary proceedings against the applicant which is contemplated / pending vide order No. 1509/DIS/KS/15/Adm. dated 15.10.2008 issued by the suspending authority (Respondent No.2) keeping the applicant under suspension with effect from 17th Oct.2008 without further providing any notice or changes to the applicant for a reasonable opportunity to defend himself for reasons best known.

The applicant further begs to state that the applicant has been verbally informed by the respondents No.2, 3 and 4 to vacate the official Qtr. No. 214, Block E, Satgaon Army Camp, Satgaon, Guwahati without any order or notice and as such the applicant is under tremendous mental agony due to all such illegal and arbitrary actions of the respondent

Contd....

Khari Singh

2 JUL 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench

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Moreover an enquiry is pending before the office of the Asst. Commercial Manager (PRS), N F Railway (Respondent no. 5) in connection with major penalty charge sheet no. C/DCM/GHY/DAR/08 dated 27/11/08 issued by DCM/GHY.

Therefore, under such circumstances the applicant anticipates that the applicant may be prejudice due to the illegal and arbitrary actions of the respondents no.2, 3 and 4 while not providing the applicant with a reasonable opportunity to defend himself in the pending disciplinary proceedings and further forceful evictions of the applicant from his Qtr. no. 214, Block E at Narengi, Satgaon Army Camp and as such the applicant prays before this Hon'ble court to stay the disciplinary proceedings and forceful eviction of the applicant from the said Quarter until disposal of the enquiry in connection with major penalty charge sheet no. C/DCM/GHY/DAR/08 dated 27/11/08 pending before the enquiry officer/office of the Asst. Commercial Manager (Respondent no. 5).

Khara Singh

2. Jurisdiction of the Tribunal:-

The applicant declares that the subject matter of the application is well within the jurisdiction of this Hon'ble court.

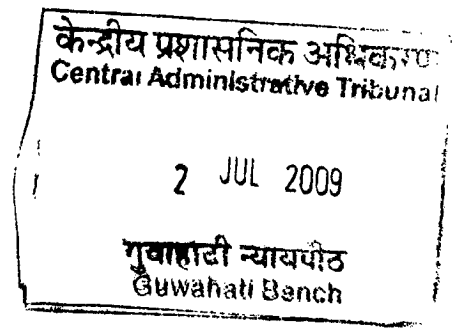
3. Limitation:-

The applicant declares that the application is filed within the limitation period prescribed under sec.21 of the Administrative Tribunal Act, 1985.

4. Facts of the case:-

4.1. That the applicant is a citizen of India by birth and a resident of the above mentioned locality and as such is entitled for all the rights guaranteed under the constitution of India and other law, bye-law and rules framed thereunder.

Contd....



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- 4.2. That the applicant begs to state that the applicant was working as a Mazdoor vide T.No. 2891 at 222 ABOD, C/o 99APO.
- 4.3. That the applicant begs to state that the applicant was arrested by Railway Protection Force on 24th July, 2008 in connection with allegations for using forged railway tickets and subsequently the applicant was released on 15th Sep. 2008 on bail
- 4.4. That the applicant begs to state that on 26th Sep 2008 the respondent no.3 issued a letter vide no. 1509/DISCP/SUS/4/ADM dated 26/09/2008 to the applicant asking certain information regarding arrest of the applicant and accordingly the applicant filed his reply.

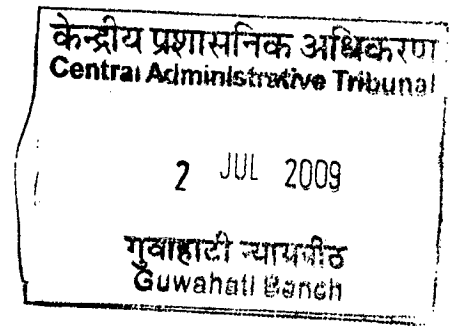
Kharaj Singh

Copy of the Letter dated 26.09.08 is annexed hereto and marked as ANNEXURE-A.

- 4.5. That the applicant begs to state that on 15<sup>th</sup> Oct, 2008 the respondent No.2 issued an Order vide No. 1509/DIS/KS/15/Adm. dated 15.10.2008 and initiated a disciplinary proceedings against the applicant and further suspended the applicant with effect from 17.10.08.

Therefore the applicant have not received any notice or charged in respect of the said pending disciplinary proceedings till date which reflects the illegal and arbitrary actions of the disciplinary authority while not providing the applicant with a reasonable opportunity to defend himself.

Contd....



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Copy of the Suspension Order dated 15.10.08 is annexed hereto and marked as ANNEXURE-B.

- 4.6. That the applicant begs to state that a major penalty charge sheet vide No. C/DCM/GHY/DAR/08 dated 27.11.08 was issued by the enquiry officer/Asstt. Commercial Manager (PRS), (respondent No.5) and with regard to such enquiry the applicant was directed to attend the regular hearing on dates and accordingly the applicant is regularly attending the said enquiry and is pending at present before the respondent No.5.

Khary Singh

Copy of the Letter dated 27.03.09 is annexed hereto and marked as ANNEXURE-C.

- 4.7. That the applicant begs to state that the applicant was allotted Qtr. No. 214, Block - E at Satgaon Army Camp, Narengi vide Order No. 6552/4/Q3/Accn. dated 13.03.06 issued by the respondent No.4, 222 ABOD, Stn. Cell HQ 51 Sub Area (CIV Est) 313 Cay ASC (Sup) GE Narengi and since then the applicant is peacefully staying with his wife and children in the above mentioned quarter.

Copy of the Order dated 13.03.06 is annexed hereto and marked as ANNEXURE-D.

- 4.8. That the applicant begs to submit that the applicant is receiving half of his salary at present and with almost financial

Contd....

2 JUL 2009

गुवाहाटी न्यायापीठ  
Guwahati Bench

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difficulties and mental agony the applicant is surviving with his wife and two minor children Ashish Kr. Singh (5 yrs.) and Nikita Singh (2 yrs.) respectively without any other source of income the applicant somehow is maintaining his responsibilities.

4.9. That under the above mentioned facts and circumstances of the case the applicant have no other way but to approach this Hon'ble Tribunal being the appropriate forum of filing this original applications as the applicant has grievances against the respondents No. 2,3 and 4 respectively and as such this Hon'ble Tribunal has jurisdiction to adjudicate the grievances of the applicant under the Administrative Tribunal Act, 1985.

4.10. That the applicant begs to state that it is a fit case to interfere with by this Hon'ble Tribunal to protect the rights and interest of the applicant by way of staying the operations of suspension order dated 15.10.08 issued by the respondent No.2 for disciplinary proceedings against the applicant and pending of present until disposal of the enquiry vide major penalty charge sheet No. C/DCM/GHY/DAR/08 dated 27.11.08 pending before the respondent No.5 and further also protect the applicant and direct the respondent No.2, 3 and 4 to allow the applicant to stay with his family in Qtr. No. 214, Block - E, Satgaon, Narengi Camp, C/o. 99 APO until disposal of the disciplinary proceedings against the applicant.

4.11. That this application is made bonafide and for the ends of justice.

Contd....

Kharaq Singh

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2 JUL 2009

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Guwahati Bench

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5. Grounds for relief (s) with legal provisions :

5.1. For that the impugned actions, of the respondents more particularly respondent No.2, 3 and 4 are in violation of the Constitution of India and principal of natural justice and as such the impugned actions of the respondents are not sustainable in the eye of law and are liable to be stayed.

5.2. For that impugned actions of the respondents are very illegal and arbitrary as the respondents have not provided any reasonable opportunity to the applicant while not issuing any notice or charges against the disciplinary proceedings initiated since 15.10.08 and as such the impugned actions of the respondents are not sustainable in the eye of law and are liable to be stayed.

5.3. For that the impugned actions of the respondents are illegal and arbitrary while directing the applicant verbally to vacate the official Qtr. No. 214 allotted in the name of the applicant without any notice and as such the impugned actions of the respondents are not sustainable in the eye of law and are liable to be stayed until disposal of the pending legal proceedings.

6. Details of remedies exhausted :-

That the applicant declares that the applicant has exhausted all the remedies available to and there is no other alternative remedy then to file the application.

Contd....

Khagraj Singh

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7. Matters not previously filed or pending with any other court or Tribunals :-

The applicant further declares that the applicant have neither approach any other court or Tribunal regarding the subject matter of this application nor any such application is pending in any other court or Tribunal.

8. Reliefs sought for :-

Under the facts and circumstances stated above, the applicant humbly prays that Your Lordship would graciously be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to why the relief sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown be pleased to grant the following reliefs.

8.1. That the Hon'ble Tribunal be pleased to stay the operations of the suspension order vide No. 1509/DIS/KS/15/ADM dated 15.10.08 (Annexure - B) issued by the respondent No.2 from 222 ABOD, C/o. 99 APO until disposal of the enquiry vide major penalty charge sheet No. D/DCM/GHY/DAR/08 dated 27.11.08.

8.2. That the Hon'ble Tribunal be pleased to direct the respondents, more particularly respondent No.2, 3 and 4 to allow the applicant to stay in Qtr. No. 214 at Satgaon Army Camp with his family until disposal of all the legal proceedings whatsoever pending against the applicant.

Contd....

Kharag Singh

8.3 Cost of the application.

8.4. Any other relief/reliefs to which the applicant is entitled for as this Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed :-

During the pendency of this application the application prays for the following interim reliefs.

9.1. That the Hon'ble Tribunal may be pleased to stay the operations of the suspension order vide No. 1509/DIS/KS/15/ADM dated 15.10.08 until disposal of the enquiry vide major penalty charge sheet No. C/DCM/GHY/DAR/08 dated 27.11.08 issued by the respondent No.5 till disposal of this original application.

9.2. That the Hon'ble Tribunal be pleased to direct the respondent No.2, 3 and 4 to allow the applicant to stay in his official quarter No. 214, Block - E at Satgaon Army Camp until disposal of this original application.

9.3. That the Hon'ble Tribunal be pleased to observe that pending of this application shall not be a bar to the respondents to provide relief/reliefs prayed for.

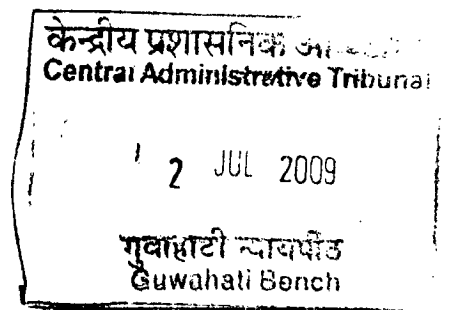
10. Particulars of the I.P.O.

- (i) I.P.O. No. : 396 410393  
(ii) Date of issue : 02/07/09  
(iii) Issued from : G.P.O  
(iv) Payable at : Guwahati

11. List of enclosures : As given in the index.

Contd....

Kharag Singh



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VERIFICATION

I, Sri Kharag Singh, (Mazdoor T.No. 2891) aged about 30 years, son of Mr. Gordhan Singh, resident of Satgaon Army Camp (222 ABOD), Block - E, Qtr. No. 214, Satgaon, in the district of Kamrup, Assam, Applicant in the instant Original Application do hereby verify that the statements made in paragraph Nos. 1 to 4 and 6 to 11 are true to my knowledge and those made in paragraph No. 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this 2<sup>nd</sup> day of July, 2009 at Guwahati.

*Kharag Singh*  
DEPONENT

1508/DISCP/SUS/ ADM


26 Sep 2008

ADMINISTRATIVE BRANCH

VERACITY OF FACTS REGARDING ARREST AND  
DETENTION BY RAILWAY POLICE

It has been learnt from reliable sources that you were arrested by RPF(Railway Protection Force) on 24 Jul 2008 in connection with the forgery of railway tickets. The same has been corroborated by 51 Sub Area Provost Unit through their letter No. Pro/00042/A dt. 28 Jul 2008. You are directed to confirm the veracity of facts today, i.e., 28 Sep 2008 by closing hours.

27/9

  
Lt Col  
Adm Offr

T. No. 2891 Mazdoor  
Shri Kharag Singh  
No. Sub Depot

केन्द्रीय प्रशासनिक अधिकार  
Central Administrative Tribunal  
7 2009  
गुवाहाटी न्यायपीठ  
Guwahati Bench

*Certified to be  
true copy  
Anandhaji Gogoi  
Advocate*

APPENDIX 'E' TO CPRO 144/66

STANDARD FORM OF ORDER OF SUSPENSION RULES 10(1)  
OF CCS(CC&A)RULES, 1965

No. 1509/DIS/KS/17 Adm  
Government of India  
Ministry of Defence

Date 15 Oct 2008

Place of issue 222 ABOD,C/O 99 APO

WHEREAS a disciplinary proceedings against (name and designation of the govt. servant) is contemplated/pending

Whereas a case against Shri Kharag Singh Mazdoor T. No. 2891 (name and designation of the Govt servant) in respect of a criminal case offence is under investigation/inquiry trial.

Now, therefore, the President/the undersigned (the Appointing Authority or an authority to which it is subordinate or any other authority empowered by the President in that behalf), in exercise of the powers conferred by sub rule( ) of rule 10 of the Central Civil Services:(Classification, Control and Appeal)Rules, 1965, hereby places the said Shri Kharag Singh under suspension with effect from 17 Oct 2008.

It is further ordered that during the period that this order shall remain in force the headquarters of Shri Kharag Singh Mazdoor T. No 2891(Name and designation of Govt servant) shall be Narangi Cantt, Guwahati (name of the place) and the said Shri Kharag Singh shall not leave the headquarters without obtaining the previous permission of the undersigned

\*(By order and in the name of the President)

*Certified to be  
true copy*

(Rahul Bratnagar)  
Col  
Commandant

(Name & Designation of the Suspending Authority)

केन्द्रीय प्रशासनिक आयोग  
Central Administrative Tribunal  
7 2008  
गुवाहाटी न्यायपीठ  
Guwahati Bench

\* Where the order is expressed to be made in the name of President

1. Copy to Shri Kharag Singh Mazdoor T.No. 2891(Name and designation of the suspended officer). Orders regarding subsistence allowance admissible to him during the period of his suspension will issue separately.
2. Copy to Shri \_\_\_\_\_ (name and designation of the Appointing Authority) for information.
3. Copy to Shri \_\_\_\_\_ (name and designation of the lending authority) for information.
4. The circumstances in which the order of suspension was made are as follows -

That the above named Shri Kharag Singh was arrested by Railway Police, Guwahati on 24 Jul 2008 and detained in custody till 15 Sep 08 on charges of selling forged railway ticket. The individual has confessed about his arrest in writing. HQ 51 Sub Area Provost Unit through their letter No. Pro/00042/A dt. 28Jul 2008 has also communicated his involvement in the forgery of railway tickets.

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
2 2009  
गुवाहाटी न्यायपीठ  
Guwahati Bench

N F RAILWAY

Office of the  
Asst. Commercial Manager (PRS)  
Station Road, Guwahati-781001.  
Date : 27.03.2009.

No. C/ACM/PRS/CON/01/04

To  
Sri Suresh Ch. Lahkar,  
Hd. ECRC/GHY.

Sub: Regular Hearing in connection with the Major Penalty Charge sheet No.C/DCM/  
GHY/DAR/08 dtd. 27.11.08 issued by DCM/GHY against Sri Suresh Ch. Lahkar,  
Hd. ECRC/GHY.

As you could not attend the Regular Hearing fixed on 27.03.09 the, the next date for Regular  
Hearing has been fixed on 08.04.09.

You are therefore requested attend Regular Hearing, as fixed, along with your DC without fai

केन्द्रीय प्रशासन  
Central Administration  
2 - 2009  
गुवाहाटी न्यायपीठ  
Guwahati Bench

(A C CHAUDHARY)  
ACM/PRS/GHY  
Inquiry Officer

- Copy to :
1. Sr. DCM/LMG, for his information and necessary action please.
  2. DCM/GHY (DA), for his information and necessary action please.
  3. Defense Council -Sri Mridul Kr.Das, Hd. Cleark , CCM/FM's office, Maligaon. He is requested to attend the Regular Hearing, as fixed.
  4. Dy.CAO (Cash & Pay), Maligaon HQ. He is requested to spare Sri Mridul Kr. Das, Hd. Cleark , CCM/FM's office, Maligaon ,presently working at Cash & Pay office, Maligaon, to attend the Regular Hearing as scheduled.
  5. Sri Biplob Kr. Roy, CTTI, Anti Fraud Squad, Maligaon. He is requested to attend the Regular Hearing as fixed.
  6. Dy. CCM/TC, Maligaon HQ. He is requested to spare Sri Sri Biplob Kr. Roy, CTTI, Anti Fraud Squad, Maligaon to attend the Regular Hearing.
  7. Sri Bhagirath Ch.Boro, CRS/PRS/GHY. He is requested to attend the Regular Hearing as scheduled.
  8. Sri Sibabrata Ghosh, Hd. ECRC/GHY. He is requested to attend the Regular Hearing as scheduled.
  9. Sri Kharag Singh, Satgaon Army Camp,(222ABOD), Block E, Qtr No. 214, Satgaon. He is requested to attend the Regular Hearing, as fixed.
  10. SS/DPU. He is requested to spare and direct Sri Suresh Ch. Lahkar, Hd. ECRC/GHY to attend the Regular Hearing as fixed.

Handwritten notes: "at AN of date" and "at AN of date" with arrows pointing to the list items.

Handwritten signature and stamp: "ACM/PRS/GHY" and "P. R. S. / Guwahati N.F. Railway".

Handwritten signature and date: "A.C. Chaudhary 27/3/09".

(A C CHAUDHARY)  
ACM/PRS/GHY  
Inquiry Officer.

Certified to be  
True copy.

Station HQ Cell  
HQ 51 Sub Area  
099 APO

6552/14/Q3/Accn

13 Mar 06

222 ABOD

Sta Cell HQ 51 Sub Area (Civ Est)

313 Coy ASC (Sup)

GE Narangi

## MUTUAL CHANGE OF CIVIL ACCN (TYPE-I)

1. Ref this office letter No 6552/14/Q3/Accn dt 25 Feb 2006.
2. The following mutual change of civ md accn (Type-I) is hereby accorded :-

S/No	Name	Unit	Allotted For	Now Change to
1.	T/2891 Kharg Singh	222 ABOD	E/218	E/214 on vacation of E/218
2.	T/2920 Elmshah Ch Sharma	222 ABOD	E/214	E/218 on vacation of E/214
3.	S/mt T/523 Nag Raju	Sta Cell 51 Sub Area	E/163	E/156 on vacation of E/163
4.	Mat. 6407304 Y Ashok Singh	313 Coy ASC	E/196	E/197 on vacation of E/196
5.	MES SK Parimal	GE Narangi	E/197	E/196 on vacation of E/197

2. You are requested to take over the accn within 10 days failing which allotment will be treated as cancelled.

No subletting of accn is permitted, allotment will be cancelled if found such cases during surprise checking, ensure for strict compliance. You are also requested to ensure that their spouses are not holding any Govt accn or not drawing HRA.

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal

7 2009

मुंबई न्यायपीठ  
Bombay Bench

(KAK Singh)  
Lt Col  
Offg Adm Comdt

Copy to :-

BSO Narangi  
AAO BSO Narangi

Certified to be  
true copy

0369345