

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 230 of 2002

Jabalpur, this the 12th day of March, 2004

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Shri Surendra Singh Rawat,
S/o. Shri G.S. Rawat, aged 27
years, R/o. Or. No. 3199, Type-III,
Ordnance Factory Estate, Itarsi,
District Hoshangabad.

... Applicant

(By Advocate - Smt. S. Menon, Sr. Advocate alongwith Ku.
P.L. Shrivastava)

V e r s u s

1. Union of India,
Ministry of Defence,
Ordnance Factory Itarsi,
Through : Its General Manager.

2. The General Manager,
Ordnance Factory, Itarsi.

... Respondents

(By Advocate - Shri K.N. Pethia)

O R D E R

By Madan Mohan, Judicial Member -

By filing this Original Application the applicant has claimed the relief to quash the order dated 8.1.2002 (Annexure A-6).

2. The brief facts of the case as stated by the applicant are that the applicant submitted his application form for the recruitment to the post of Chargeman Grade-II (Tech./Chem.) as published by the respondent No. 2. The applicant is B.Sc. in Physics, Chemistry and Maths having two years experience in the relevant field. Therefore the applicant fulfilled the requisite qualification/specification mentioned in the said advertisement. On receipt of the application of the applicant he was called for written and also for interview on 21.3.2000 and 22.3.2000 respectively.

The applicant successfully passed his written test as also the interview and was selected for the post of Chargeman Grade-II (Tech./Chem.) and was issued attestation form for the purpose of Police Verification. The applicant filled up the attestation form by giving full details therein and submitted the same to the General Manager, Ordnance Factory, Itarsi. On the direction of respondent No. 2 vide letter dated 29.4.2000 the applicant submitted more copies of the complete attestation forms. After passage of few months the applicant was issued a show cause notice dated 15.2.2001, wherein it was mentioned that the attestation form was being sent to the District Magistrate, Indore for verification of his character and antecedents, and it was informed and reported that the applicant had not been found living in the said address and thereby, the applicant was guilty for furnishing false information/ address. On receipt of the same the applicant again gave a detailed reply dated 22.2.2001 specifically mentioning that there has been no suppression of any fact or submission of false information. He categorically submitted that he was never employed under any Government or autonomous agency. Regarding his employment in WWA it could not be said that it was under any such authority which was detailed in the attestation form. On receipt of the same, the respondent No. 2 vide order dated 8.1.2002, cancelled the selection of the applicant to the post of Chargeman Grade-II (Tech/Chem.).

3. Heard the learned counsel for the parties and perused the records carefully.

4. The learned counsel for the applicant argued that the applicant mentioned his address in th

form correctly but the Superintendent of Police, District Indore has submitted his report Annexure R-2 dated 9.7.2000 mentioning that the name of the father of the applicant is not mentioned in the attestation form. Hence the Superintendent of Police required correct address and name of the father of the applicant which was not furnished by the respondents. Accordingly, the report submitted by the Superintendent of Police is absolutely incomplete and incorrect and under these circumstances the applicant cannot be said that he mentioned the address wrongly in the attestation form. The learned counsel for the applicant further argued that he had submitted his ^{correct} experience certificate from Geo-Chem Laboratories Pvt. Ltd., Indore. The learned counsel for the applicant also argued that the applicant was never an employee of WWA. However one friend of the applicant had a typing Institute of WWA for running the same on 50-50 share basis. From 10.5.1999, the applicant was looking the typing institute on his behalf, and the applicant thought that it was a business and not an employment. Hence the applicant did not consider it necessary to mention the same in the attestation forms.

5. The learned counsel for the respondents in their reply has argued that the Superintendent of Police, District Indore has submitted his clear report dated 9.7.2000, in which he has mentioned that on the verification it was found that the applicant was not found living in the address given in the attestation form. The applicant has mentioned in the attestation form as 91-A, Radhanagar, Indore. There is no necessity to mention the name of the father for address verification ^(on the basis of) Hence the report submitted by the Superintendent of Police it clearly shows that the address mentioned in the attestation

is absolutely wrong. So far as the employment in the WWA the applicant himself admits that this was a institute being run~~ned~~^d by one of his friend on 50-50 share basis. This fact was intentionally suppressed and concealed in the attestation form. The learned counsel for the respondents lastly drawn our attention towards Annexure R-4, dated 6th July, 2002 issued from the Manager, Geo Chem Laboratories (Indore) Pvt. Ltd. to the General Manager, Ordnance Factory, Itarsi. It is clearly mentioned that their Laboratory started functioning from May, 1998 while the applicant has submitted his experience certificate in the factory stating that he worked from 25.04.1997 to 30.04.1999. Hence this fact of the applicant about his experience is absolutely false because the Laboratory started functioning from May, 1998 and the applicant started working from 25.04.1997. The learned counsel for the respondents drawn our attention towards the judgment of the Hon'ble Supreme Court in the case of Kendriya Vidyalaya Sangathan and others Vs. Ram Ratan Yadav, (2003) 3 SCC 437. The Hon'ble Supreme Court has held that suppression of material information relating to character and antecedents - considered a "major offence" for which punishment may extend to dismissal from service, as per terms of offer of appointment.

6. We have given careful consideration to the rival contentions made on behalf of the parties and we find that the applicant mentioned his address wrongly in the attestation form and he has also furnished false experience certificate from the said Laboratory. The applicant has also concealed and suppressed the fact of employment in WWA.



7. In view of the aforesaid, we find that the applicant has failed to prove his case and the Original Application is without any merit. Accordingly, the Original Application is dismissed. No costs.

Madan Mohan
(Madan Mohan)
Judicial Member

M.P. Singh
(M.P. Singh)
Vice Chairman

"SA"

Smt. S. Menon
KN Pethia

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