

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.100/1765/2014

Monday, this the 29th day of August, 2016

Hon'ble Mr. P.K. Basu, Member (A)

Mr. V V Krishna Sarma, s/o V Rama Murty
Administrative Officer, Group B, Age 53 years
Song & Drama Division
Ministry of Information & Broadcasting
9th Floor, Soochna Bhawan
CGO Complex, Lodhi Road
New Delhi-3

..Applicant

(Ms. V. Deepti, Advocate)

Versus

1. Union of India through the Secretary
Ministry of Information & Broadcasting
A Wing, Shastri Bhawan,
New Delhi – 1
2. The Director
Song & Drama Division
Ministry of Information & Broadcasting
9th Floor, Soochna Bhawan
CGO Complex, Lodhi Road
New Delhi-3
3. The Chief Controller of Accounts
Ministry of Information & Broadcasting
A Wing, Shastri Bhawan,
New Delhi - 1

..Respondents

(Mr. Ramesh Bhasker for Mr. Hilal Haider, Advocate)

O R D E R (ORAL)

The applicant is currently posted at Lucknow. He was, for some strange reasons, given charge of Drawing and Disbursing Officer (DDO) for Delhi Headquarters and also Ranchi. However, vide orders dated

22.04.2014 and 05.05.2014, the charge of DDO, Ranchi Regional Centre and Headquarters was handed over to some other officer.

2. Learned counsel for applicant states that the Director, Ministry of Information & Broadcasting was not the appropriate authority for passing the order dated 22.04.2014. However, I find that the order dated 26.02.2013, declaring the applicant as DDO for Ranchi Regional Centre, was issued by the Deputy Director, Song and Drama Division, whereas the order dated 22.04.2014 was issued by the Director, who is the superior authority to the Deputy Director. Therefore, this argument of the applicant completely fails, as the Director is the superior authority to the Deputy Director.

3. Learned proxy counsel for respondents states that the applicant is currently working as DDO, Lucknow and his place of posting is Lucknow. From the respondents' reply, it is also seen that the applicant is facing criminal trial on a charge involving financial misappropriation. The respondents have also stated that they cannot give financial powers to the applicant because of criminal case pending against him on financial irregularities. Learned proxy counsel for respondents explains that the applicant is no longer holding the charge of DDO, Ranchi Regional Centre and he is continuing in Delhi in view of some stay granted by this Tribunal in another O.A.

4. Given the fact that the applicant is DDO at Lucknow, there is no reason why he should be allowed to continue as DDO at Headquarters any longer.

5. In view of the above facts, I find that the prayer of the applicant is absolutely unjustified and in fact is complete misuse of judicial forum. I, therefore, dismiss this O.A. and given the background of the applicant and his conduct, I impose a cost of `25,000/- (Rupees twenty five thousand only). It is very strange that even after taking a stand that the applicant cannot be given powers as DDO due to charges of financial irregularities, the respondents have done so and allowed him to continue as DDO, Lucknow. The Secretary, Ministry of Information & Broadcasting is directed to look into this matter and take a view.

Registry is directed to send a copy of this Order to the Secretary, Ministry of Information & Broadcasting.

(P.K. Basu)
Member (A)

August 29, 2016
/sunil/