



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. CPC 350/106/2016
OA 350/970/2012

Date of order : 15.2.2017

Present: Hon'ble Mr.A.K.Patnaik, Judicial Member
Hon'ble Ms.Jaya Das Gupta, Administrative Member

SUMIT KUMAR MAZUMDAR

S/o Sanjiban Mazumdar,
R/o Panchsheel Housing Complex,(B2/303)
120 M.B.Road, P.O. - Birati,
P.S. Nimta, Kolkata - 51,
North 24 Parganas,
Working as Jr. Technical Assistant (DO)
In the office of the
Director General, GISI,
Kolkata - 700016.

...APPLICANT

VERSUS

1. Union of India, service through
The Secretary,
Ministry of Mines,
Shastri Bhavan,
New Delhi - 110001.
2. Director General,
Geological Survey of India,
27, Jawaharlal Nehru Road,
Kolkata - 700016.
3. Dy. Director General (Personnel),
Geological Survey of India,
27, Jawaharlal Nehru Road,
Kolkata - 700016
4. Dy. Director General (Map & Pub.),
Geological Survey of India,
27, Jawaharlal Nehru Road,
Kolkata - 700016.
5. Shri Shishir S.Srivastava,
Director (Geol.) & Inquiry Officer,
Regional Training Institute, NR,
Geological Survey of India,
Lucknow - 226024.

...RESPONDENTS.

AND

1. Sri Parvindar Kumar
Secretary,
Ministry of Mines,
Shastri Bhawan,
New Delhi - 110001.

Alor

2. Sri Harbans Singh
Director General, GSI,
27 J.L. Nehru Road,
Kolkata - 700016
3. Ms. Jayati Ghosh,
Dy. Director General (Personnel),
GSI,
27 J.L. Nehru Road,
Kolkata - 700016.

CONTEMNOR RESPONDENTS.

For the applicant : Mr.B.R.Das, counsel

For the respondents: Mr.P.Mukherjee, counsel

O R D E R

Mr.A.K.Patnaik, J.M.

Heard Mr.B.R.Das, Id. Counsel appearing for the applicant and
Mr.P.Mukherjee, Id. Counsel appearing for the alleged contemnors.

2. It was brought to our notice that order has been passed on 19.1.2017
which reads as follows :

GOVERNMENT OF INDIA
Ministry of Mines
Geological Survey of India
Central Headquarters
27 J.L./Nehru Road
Kolkata -700016.

F.No.286/5/A-32016/Re-instate/SKM/2017/16A

Dated : 19.1.2017

Re-instatement of service in respect of Shri Sumit Kumar Mazumdar, Ex-JTA(DO) to comply Hon'ble Central Administrative Tribunal, Calcutta Bench order dated 18.12.2015 in OA No. 970/2012 and order dated 29.11.2016 in CPC No. 350/00106/2016 filed by Shri Sumit Kumar Mazumdar -vs- UOI & Ors.

I am directed to inform that vide office order No. 441/C-13013/1/2007-Vig. Dated: 11.5.2012, the Competent Authority of GSI imposed penalty of Removal from Government service in terms of sub-rule (viii) of Rule II of the CCS (CCA) Rules 1965. But, Hon'ble Central Administrative Tribunal, Calcutta Bench vide order dated 18.12.2015 quashed the said penalty of removal order dated 11.5.2012 of GSI Authority and directed to reinstate him or adjust him against a suitable post with continuity of service.

As per laid down procedure, matter is required to be addressed through the concerned Administrative Ministry, i.e. Ministry of Mines in consultation with DOPT & DOLA. Accordingly, matter was forwarded to

all

Ministry of Mines. Ministry of Mines vide their letter dated 17.1.2017 had directed GSI authority to implement the Hon'ble Tribunal's solemn order dated 18.12.2015 in OA No. 970/2012.

Under the circumstances, stated above and in compliance of solemn order of Hon'ble Central Administrative Tribunal, Calcutta Bench at Kolkata in OA No. 970/2012, Shri Sumit Kumar Mazumdar Ex-JTA (DO) of GSI will be reinstated against available vacancy in the suitable post with continuity of service as per the direction of the Hon'ble CAT, vide its order dated 18.12.2015.

(Y.P.Rawat)

Director (P&A)

For Dy. Director General (P&A)"

Therefore we do not find any deliberate and intentional violation of the order passed on 18.12.2015 in OA 970/2012.

3. Accordingly the Contempt Petition is dropped. Compliance report filed today be kept on record. However, we hope and trust that the respondents will take steps for reinstatement of the applicant by following the prescribed rules and regulations in force.

4. Certified copy of this order be handed over to the Id. Counsel for the applicant as per rules and the applicant will be at liberty to approach appropriate forum if he is still aggrieved.

(JAYA DAS GUPTA)
MEMBER (A)

(A.K.PATNAIK)
MEMBER (J)

in