

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 045/00117/2018

Date of Order: This, the 29th day of October 2018

**THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER
THE HON'BLE MR. N. NEIHSIAL, ADMINISTRATIVE MEMBER**

Shri Siddhartha Ray
Son of Late Gopal Krishna Ray
LDC(U/s) Prasar Bharati
Indian Public Service Broadcaster
Doordarshan Kendra Itanagar
P.O. & P.S. – Itanagar
Papum Pare, Arunachal Pradesh
791111.

...Applicant

By Advocates: Mr. S.K. Deori, Ms. Somila, Mr. B. Deori and
Mr. P. Daimary

-Versus-

1. The Union of India
Represented through Secretary
Ministry of Information and Broadcasting
Shastri Bhawan, C-1/3 Lodhi Garden
New Delhi – 110003.
2. The Additional Director General (P&A)(NER)
Doordarshan (DD), R.G. Baruah Road
Guwahati – 781024, Assam.
3. The Pay & Account Officer (NER), Min. of I&B
Doordarshan (DD), H. No. – 04
Samannya Path, Survey, Beltola
Guwahati – 781028, Assam.

4. The Director and Head of Office
Doordarshan Kendra (DDK), Itanagar – 791111
Papum Pare District, Arunachal Pradesh.
...Respondents

By Advocate: Mr. S.K. Ghosh, Addl. CGSC

ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

This application has been preferred by the applicant against the illegal and arbitrary action of the respondent authorities for placing the petitioner under suspension vide order dated 10.06.2014 and indefinitely deems suspension order dated 07.04.2017 whereby suspension of the applicant has been reviewed and extended for another 90 days w.e.f. 17.04.2017 or till completion of the disciplinary proceeding in grave violation of CCS Rules and Principle of Natural Justice. The applicant also aggrieved against the impugned letter dated 27.12.2017 whereby he was denied subsistence allowance during the period from 01.05.2014 till 06.08.2015 alleging that he had absconded during that period and therefore subsistence allowance for the said period is not admissible however, eligible for the period w.e.f. 07.08.2015 to November 2016 and the same has not been released to him till

date. According to the applicant, he was denied his entitlement of 75% of the subsistence allowance as per the existing rules.

2. Heard Mr. S.K. Deori, learned counsel for the applicant and Mr. S.K. Ghosh, learned Addl. CGSC for the respondents. Perused the pleadings and material placed on record. It is palpable from the perusal of record that disciplinary proceeding is not completed till date. On query to the learned Addl. CGSC for the respondents as to why disciplinary proceeding has not been completed till date, learned Addl. CGSC for the respondents prays that let a direction be issued to the respondent authority to complete the disciplinary proceeding within a time frame where the learned counsel for the applicant has also agreed to.

3. By accepting the prayer made by the learned Addl. CGSC for the respondents and as agreed to by the learned counsel for the applicant and without going into the merit of the case, we direct the respondent authority to complete the disciplinary proceeding within a period of four months from the date of receipt copy of this order. Meanwhile, respondent authority is further directed to consider the case of the

applicant by granting subsistence allowance for the period of 01.05.2014 till 06.08.2015 as prayed by the applicant in para 5.2 of the O.A.

4. With the above directions, O.A. stands disposed of accordingly. No order as to costs.

(N. NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

PB