

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A./100/878/2019

New Delhi, this the 27th day of May, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

D. Vijayalakshmi,
Presently working as Deputy Secretary in CSIR, Group 'A'
D/o Shri S.B. Dandapani
Aged 51 years
R/o House No.C-509, Ram Vihar Sector-30
Noida-201303Applicant

(Through Shri A.K. Behera, Advocate)

Versus

1. Director General
Council of Scientific and Industrial Research
Anusandhan Bhawan,
2, Rafi Marg,
New Delhi-110012
2. Joint Secretary (Admin),
Council of Scientific and Industrial Research
Anusandhan Bhawan,
2, Rafi Marg,
New Delhi-110012
3. Chief Vigilance Officer
Council of Scientific and Industrial Research
Anusandhan Bhawan,
2, Rafi Marg,
New Delhi-110012
4. Central Vigilance Commission
Through its Secretary
Satarkata Bhawan, A-Block,
GPO Complex, INA
New Delhi-110023

(Through Shri Bhuvnesh Satija, Advocate)

ORDER (Oral)

Justice L. Narasimha Reddy, Chairman

The applicant joined the service of CSIR-respondent herein as Section Officer on 4.11.1994. Thereafter, she earned promotion to the post of Under Secretary on 5.04.2006 and to the post of Deputy Secretary on 1.12.2011, respectively.

2. The applicant was issued a charge memo on 13.05.2015, alleging some acts of misconduct. She submitted her explanation denying the charges. On an application submitted by her under Right to Information, the respondents informed that the report of the Inquiry Officer (IO) was submitted on 31.08.2017.

3. It is stated that DPC for promotion to the post of Senior Deputy Secretary (SDS) was held on 12.12.2018 and several officers in the same category were promoted. This OA is filed with a prayer to direct the respondents to conclude the disciplinary proceedings within one month positively, and to open the sealed cover adopted by the respondents in the case of the applicant in the DPC held on 12.12.2018 for promotion to the post of SDS.

4. The respondents filed counter affidavit opposing the OA. It is stated that the inquiry against the applicant was being

monitored by the CVC and since quite large number of persons were involved, it has taken longer time. The process to conclude the proceedings is said to be in progress.

5. We heard Shri A.K. Behera, for the applicant and Shri Bhuvnesh Satija, for the respondents.

6. The relief claimed in the OA is to direct the respondents to conclude the disciplinary proceedings, at the earliest. The challenge is not to the charge memo, as such.

7. The applicant waited almost three years after the proceedings were initiated and when nothing was forthcoming, she filed an application under RTI. She was informed that the report of the IO was submitted on 31.08.2017. More than one-and-a-half years have elapsed since then. Whatever be the nature of the charges and the steps involved in the process, it should not have taken such a long time, to conclude the proceedings. The DPC was held for promotion to the next higher post. The applicant is certainly put to hardship, on account of pendency of the disciplinary proceedings.

8. We, therefore, direct the respondents to conclude the disciplinary proceedings within three months from today. It is needless to mention that depending on the outcome of the proceedings, the sealed cover, maintained in respect of the applicant for promotion to the post of SDS, shall also be

opened. The OA is disposed of. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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