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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A.No.390/2003

New Delhi, this the 19th day of August, 2003.

HON'BLE SHRI SHANKER RAJU, JUDICIAL MEMBER  
HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

Manohar Singh,  
S/o Late Shri Itwari Lal,  
R/o Village Naib Sarai,  
PO Bab Sarai,  
New Delhi. ...Applicant.  
(By Advocate: Shri M.K.Bhardwaj)

Versus

Union of India & Ors.

1. Secretary,  
Ministry of Tourism & Culture,  
Shastri Bhavan,  
New Delhi.
2. Director General,  
National Museum,  
Janpath,  
New Delhi.

.....Respondents

(By Advocate : Rajinder Nischal)

ORDER (ORAL)

Shri Shanker Raju, Judicial Member

Applicant has impugned memorandum dated 25.10.2002 (Annexure A-I) wherein it has been proposed as to why disciplinary proceedings may not be initiated against him for making complaints against the higher authorities directly.

2. Learned counsel for the applicant states that a Writ Petition No.3162/2002 filed by the applicant is pending before Delhi High Court. He further submits that the applicant may be placed under suspension due to highlighting corruption at large in the department. The learned counsel made a reference to Central Vigilance Commission's letter dated 18.11.98 and particularly in para 2.1, it is contended that

when a complaint is made directly to CVC, no person shall be punished by passing a normal channel or making a complaint. The applicant has furnished a copy of reply to the memo referred to above. We find from the perusal of record that a copy of complaint dated 12.4.2001 (Annexure-C ) has already been filed on record by the applicant.

3. Ends of justice would be met, as the matter is premature, if the applicant files a representation against the memo dated 25.10.2002 within four weeks from today, thereafter, the respondents are directed to consider the same in view of the CVC's directions dated 18.11.98 and pass a detailed and speaking order within two months from the date of receipt of a copy of representation from the applicant. We order accordingly. No costs.



(R.K. UPADHYAYA)  
Administrative Member



(SHANKER RAJU)  
Judicial Member

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