



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**OA No. 3517/2019
With
OA No. 3519/2019**

New Delhi, this the 05th day of December, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. OA No. 3517/2019.

Robin Singh,
Aged 33 Years,
S/o Shri Kushal Pal Singh,
Junior Statistical Officer,
Regional Officer, Agra,
Field Operations Division,
National Sample Survey Office,
Ministry of Statistics and Programme
Implementation,
64/4, B-Wing, Second Floor, CGO Complex,
Sanjay Place, Agra- 282003.

Resident of:

Qr. No. 14, Type-III, GPRA,
Sector-15, Sikandra,
Agra-282007,
Mobile No. 8410382019.

2. OA No. 3519/2019.

Manish Kumar Vikas,
Aged 36 years,
S/o Shri Geetam Singh,
Junior Statistical Officer,
Regional Office, Agra,
Field Operations Division,
National Sample Survey Office,
Ministry of Statistics and Programme
Implementation,
64/4, B-Wing, Second Floor, CGO Complex,
Sanjay Place, Agra- 282003.

Resident of:



67, Pushpanjali Garden,
Dayal Bagh,
Agra-282005,
Mobile No. 9528757830.

...Applicants

(By Advocate: Mr. Tushar Mohanty)

Versus

Union of India, through,
The Chief Statistician of India and Secretary,
Ministry of Statistics and Programme
Implementation,
Sardar Patel Bhawan, Parliament Street,
New Delhi- 110001.

...Respondents in both the OAs.

(By Advocate: Ms. Anupama Bansal in OA No. 3517/2019 and Mr. Y.P. Singh in OA No. 3519/2019)

O R D E R (ORAL)

Justice L. Narasimha Reddy, Chairman:-

In these two OAs common questions of fact and law arise. Hence, they are disposed of through a common order.

2. The applicants are employed as Junior Statistical Officers in the Ministry of Statistics and Programme Implementation. On 28.05.2019, they were transferred to other places. However, they did not join, though they were relieved from their earlier place of posting. They were also placed



under suspension through orders dated 05.07.2019. The Disciplinary Authority (DA) issued separate charge memoranda dated 23.09.2019, under Rule -14 of CCS (CCA) Rules, 1965 to the applicants. These OAs are filed challenging the charge memoranda.

3. The applicants contend that the only charge against them is that they did not join the place to which they were transferred and the failure to join that place was on account of their ill health. They, further, submit that they applied for medical leave from 25.05.2019.

4. We heard Mr. Tushar Mohanty, learned counsel for the applicants and Ms. Anupama Bansal and Mr. Y.P. Singh, learned counsel for the respondents, at the stage of admission itself.

5. The challenge in these OAs, is to the charge memoranda. Though a plea is raised to the effect that the charge memoranda are not signed by the Competent Authority, we find it difficult to accept this contention. The mere fact that the Deputy Director signed it does not lead to a conclusion that it was not approved and signed by the DA.



Further, the applicants can raise that very contention in his explanation. The question, as to whether, the applicants were guilty of misconduct on account of their failure to join the stations to which they were transferred can be decided in the departmental enquiry.

6. We do not find any merit in the OAs and they are, accordingly, dismissed. There shall be no order as to costs.

(Mohd. Jamshed) (Justice L. Narasimha Reddy)
Member (A) Chairman

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