

M.10

| Noting by Office of<br>or Advocate | Serial<br>No. | Date | Office notes, reports, orders or proceedings with signatures  |
|------------------------------------|---------------|------|---|
|                                    |               |      | <p>As a matter of fact, in the affidavit in opposition filed on behalf of the respondent Nos.1 to 3 it has been specifically mentioned that the Chief Secretary, A &amp; N Administration is the disciplinary authority of the petitioner herein.</p> <p>Mrs.Nag also invited my attention to sub-paragraph (j) of paragraph 3 of the said affidavit in opposition filed on behalf of the respondent authorities wherein it has been specifically stated as hereunder:</p> <p>"3(j). That the Inquiry Officer Shri S.K.Agarwal has completed the departmental proceeding and submitted inquiry report to the Chief Secretary, A&amp;N Administration (Disciplinary authority) by a forwarding letter date 29/12/2009."</p> <p>For the aforementioned reasons I hold that Smt. B. Bhamati, Addl. Secretary, Ministry of Home Affairs, Govt. of India was not the Disciplinary Authority of the petitioner at the relevant time since the said petitioner was employed in the AAJVS on deputation at that time.</p> <p>In the instant case the disciplinary proceeding was initiated against the petitioner by the Chief Secretary since the Chief Secretary is also designated as Secretary, AAJVS and retains the</p> |

