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**(2020) 10 CAT CK 0134**  
**In the Central Administrative Tribunal**  
**Case No : Original Application No. 1635 Of 2020**

R.R. Bharati

APPELLANT

Vs

Union Of India & Others

RESPONDENT

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**Date of Decision :** 26-10-2020

**Acts Referred:**

**Citation :** (2020) 10 CAT CK 0134

**Hon'ble Judges :** L. Narasimha Reddy, J; Mohd. Jamshed, Member (A)

**Bench :** Division Bench

**Advocate :** S. Nandakumar, Harkesh Parashar, Geetanjali Sharma

**Final Decision :** Dismissed

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## Judgement

L. Narasimha Reddy, J

1. The applicant is working as Deputy Director in the Sports Authority of India. Charge memo dated 27.06.2019 was issued to him, alleging acts of

sexual harassment in the workplace. This O.A. is filed challenging the charge memo dated 27.06.2019.

2. The applicant contends that in April 2019, the respondents decided to transfer him from Delhi to Lucknow and to justify the transfer, which is

otherwise not legal, certain complaints were fabricated against him. He contends that initially a notice was issued to him about the allegations and

though a detailed reply was filed denying the allegations, the impugned charge memorandum was issued. He raised several contentions such as the

defect in composition of the Internal Complaints Committee (ICC), the procedure followed by the Disciplinary Authority (DA) in passing of the order

and denial of opportunity.

3. We heard Shri S. Nandakumar, learned counsel for the applicant and Ms.

Geetanjali Sharma, learned counsel for the respondents, at the stage of admission.

4. The charge memo issued on 27.06.2019 was preceded by a preliminary inquiry. The respondents alleged acts of sexual harassment by the applicant against a woman employee.

5. It is not as if the charge memo was issued and soon thereafter the OA is filed. He participated in the disciplinary proceedings and the ICC also

submitted its report on 04/15.09.2020. A copy of the report is furnished to the applicant and he is required to submit his reply in the context of

imposition of punishment. At this stage, the question of interfering the charge memo does not arise.

6. An objection is raised about the composition of the ICC. It is too vague and in general or otherwise of any particular member suffered disability, the

applicant can put forward his contentions through representation. We grant 10 more days?? time to the applicant for filing his representation.

7. The O.A. is accordingly dismissed with the above observations. There shall be no order as to costs.