

**ALL INDIA INSTITUTE OF MEDICAL SCIENCES**

**October 2, 2016**

**PRESS STATEMENT**

**AIIMS ORDERS REGARDING INSUBORDINATION, INDISCIPLINE AND LACK OF  
WORK ETHIC OF SANJIV CHATURVEDI UPHELD –  
DELHI HIGH COURT QUASHES CAT ORDERS**

On September 16, 2016 the Delhi High Court has quashed the CAT orders dated August 17 2016 which held that the displeasure memorandum issued by AIIMS to SanjivChaturvedi on insubordination, indiscipline and lack of work ethic in December 2015 was without issuing a show cause notice to him and against principles of natural justice.

Director AIIMS on 7.1.2016 and President AIIMS on 30.3.2016 placed on record their displeasure with the insubordination, indiscipline and lack of work ethic of SanjivChaturvedi during the winter session of Parliament 2015. SanjivChaturvedi had approached CAT against these orders. The CAT in its decision on August 17, 2016 said that “admittedly the orders dated 7.1.2016 and 30.3.2016 passed by the respondents to the applicant with copies to other concerned Ministries including Chief Secretary Uttarkhand is without issuing a show cause notice to him. This being against the principles of natural justice. Both these orders are quashed.”

In the same order, the Tribunal rejected SanjivChaturvedi’s prayer that AIIMS administration be restrained from writing his APAR for 2015-16 and dismissed his Miscellaneous Application.

AIIMS challenged the order of CAT dated August 17, 2016 in quashing the displeasure memorandum in the Delhi High Court. The Delhi High Court on September 16, 2016 has held that the CAT order, “in our view, has been passed by the Tribunal in a great hurry and without recording either the facts or the reasoning.”

The operative portion of the Delhi High Court order dated September 16, 2016 says that "...we are unable to comprehend the manner in which the Tribunal has passed the order dated 17th August, 2016. In case the Tribunal had reached a conclusion that the order was being passed on the basis of admission, the Tribunal ought to have given at least some background of the matter as the reading of the said order would show that the order does not even reflect the nature of dispute between the parties, the prayer made by the respondent herein and in what manner the admissions were made by the petitioner herein before the Tribunal. We may also notice that admittedly the amended O.A. had been filed and the Tribunal had granted time to the respondents before the Tribunal to file their respective replies. The order, in our view, has been passed by the Tribunal in a great hurry and without recording either the facts or the reasoning. Accordingly, we quash the order of the Tribunal dated 17th August, 2016 as far as it relates to its quashing the memo dated 7th January, 2016 and order dated 30th March, 2016."

As the CAT has rejected the prayer of SanjivChaturvedi for restraining the AIIMS administration from writing his APAR of 2015-16, necessary steps will be initiated by AIIMS administration to ensure the official’s APAR for 2015-16 is duly completed within the prescribed timelines and sent to the State Government and cadre controlling Ministry.

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