

No. HB(S)/EA-IV/2025/ 53

Date : 08-05-2025

ORDER

WHEREAS, Sh Jagdish Raj Manchanda, Jr. Asstt. was appointed to the post of Clerk vide memo No. HB(S)-E-7/EAI/94/13347 dated 04.07.1994, consequently, joined duties on 12.07.1994.

AND WHEREAS, while performing the duties in Reception Section, he was caught red handed in a trap laid by Vigilance Department, U.T., Chandigarh. FIR No 1 dated 11.03.2020 u/s 7, 13 (1) B and 13(2) of PC Act, 1998, PS-Vigilance, U.T., Chandigarh was registered against the official. As per FIR, a bribe of Rs 20,000/- was accepted by the official as an advance for issuance of allotment letter/possession slip of dwelling unit No 1950-B, Dhanas.

AND WHEREAS, Sh Jagdish Raj Manchanda, Jr. Asstt. was suspended w.e.f. 11.03.2020 vide order No 46 dated 18.03.2020. Later on, the Suspension Review Committee reviewed the suspension case and on the recommendation of the committee, the official was reinstated on 09.02.2022 vide order No 29 dated 09.02.2022 without prejudice to the pending case FIR No 1 dated 11.03.2020 u/s 7, 13 (1) B 13(2) of PC Act 1998, PS-Vigilance, U.T. Chandigarh and the official joined the duties on 09.02.2022 (A/N).

AND WHEREAS, on the request of Senior Superintendent of Police, Vigilance, U.T., Chandigarh the 'Prosecution Sanction' of accused-Sh Jagdish Raj Manchanda, Jr. Asstt, Chandigarh Housing Board was given by the Appointing/ Disciplinary Authority vide memo No 29923 dated 29.09.2022.

AND WHEREAS, Court Case No PC/09/2023 titled State Vs Jagdish Raj Manchanda son of Sh Mangat Ram R/o House No 3435, Sector 45-D, Chandigarh was filed by Vigilance Department before the Hon'ble Court.

AND WHEREAS, the Hon'ble Additional Session Judge, Chandigarh passed an order dated 28.04.2025 and the accused-Sh Jagdish Raj Manchanda, Jr. Asstt. was convicted and sentenced by the Hon'ble Court as under:

Sr No	Section	Sentence (Rigorous Imprisonment)	Fine	In-default (simple imprisonment)
1.	7 of Prevention of Corruption Act.	Rigorous imprisonment for a period of four years	Rs.20,000/-	six months

Fine not paid. The period of custody, in any, already undergone by the convict during investigation and trial if any shall be set off while calculating the total period of sentence."

AND WHEREAS, the following major penalties under Rule 11 (viii) & (ix) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 are mentioned:

(viii) removal from service which shall not be a disqualification for future employment under the Government;

(ix) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.

AND WHEREAS, proviso under Rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 reads as under:

Provided that, in every case in which the charge of possession of assets disproportionate to known-sources of income or the charge of acceptance from any person of any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act is established, the penalty mentioned in clause (viii) or clause (ix) shall be imposed.

AND WHEREAS, Article 311 (2) of the Constitution of India reads as under:

311. Dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State. -

(2) No such person as aforesaid shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges


[Provided that where it is proposed after such inquiry, to impose upon him any such penalty, such penalty may be imposed on the basis of the evidence adduced during such inquiry and it shall not be necessary to give such person any opportunity of making representation on the penalty proposed.

Provided further that this clause shall not apply-

(a) where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or

AND WHEREAS, Sh Jagdish Raj Manchanda, Jr. Asstt. has been convicted with Rigorous imprisonment for a period of four years inter-alia by Hon'ble Additional Session Judge, Chandigarh vide order dated 28.04.2025. I am of the considered view that provisions of clause (a) of the proviso under Article 311 (2) of the Constitution of India are applicable in this case.

NOW THEREFORE, I award the penalty of dismissal from service which shall ordinarily be a disqualification for future employment under the Government in respect of Sh Jagdish Raj Manchanda, Jr. Asstt.


 8/5/2025
Chief Executive Officer,
Chandigarh Housing Board,
Chandigarh.

Endst. No. HB(S)/EA-III/2025/ 250

Dated: 08-05-2025

Copy is forwarded to the following for information and necessary action:-

1. The Chief Accounts Officer, Chandigarh Housing Board.
2. The Computer Incharge, CHB.
3. Sh. Jagdish Raj Manchanda, Jr. Asstt.
4. PA to Chairman / Chief Executive Officer/ Secretary for kind information of officers.
5. Office order file.


Chief Executive Officer,
Chandigarh Housing Board,
Chandigarh.

CI/CHB/1025
Dated 09/05/2025