

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No 705/2002

Date of Decision 2.4.2003

Udal Singh & Ors. ... Applicant

Shri V.K.Rao ... Advocate for the Applicant

VERSUS

UOI & Ors. ... Respondents

Sh.M.M.Sudan, Learned Sr. Advocates for the Respondents
counsel for respondents 4 & 4

Smt.Avnish Ahlawat, ld.counsel with Shri Mohit Madan
counsel for respondents 2 & 3.

Sh.S.K.Gupta ld.counsel with Sh.R.M.Bagai counsel for
the intervenors.

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)

Hon'ble Shri Govindan S.Tampi, Member (A)

1. To be referred to the Reporter or not ? Yes

2. Whether it needs to be circulated to other
Benches of the Tribunal? No



(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.705/2002

Wednesday, this the 2nd day of April, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri Govindan S. Tampi, Member (A)

1. Udai Singh s/o Bal Kishan
BB-43, (C) West Shalimar Bagh
Delhi
 2. S.Ahmed s/o M.K.Sallam D
80-Q, Sector, 4, Pushp Vihar
New Delhi
 3. Avnish Chander
s/o Shri Ishwar Dass
C-4/16-B, Keshavpuram
Delhi
 4. Shri S.C.Shrma,
s/o Late Shri C.L.Sharma
28, Nirmar Apartment
Mayur Vihar, New Delhi
 5. K.S. Bhatia
s/o late Shri Des Raj Bhatia
B-7, Vikalp Apartment
Plot No.92,
IP Ext.Delhi 92
 6. Kul Bhushan s/o Amar Nath
58, Harit Niketan
West Enclave, Pitampura, Delhi
 7. Kamal Singh Yadav
s/o Naval Singh Yadav
Near Gurudwara Jatwara Bahadur Garh
Distt. Jhajjar (Haryana)124 507
 8. Devender Singh Yadav s/o Om Prakash Yadav
House No.WZ-59, Jawala Heri
New Delhi-63
 9. Shamsher Singh s/o Rattan Singh
Q.No.I-320, Sarojini Nagar,
New Delhi
 10. V.P.Singh s/o B.L.Tyagi
C-180, East End Apartments
Mayur Vihar, Phase-I Extn.
Delhi-96
 11. Jawahar Lal Dua s/o Ram Pyara Dua
B-7/117, Sector 4, Rohini
Delhi-96
 12. Subhash Chander s/o U.B. Giri
G-139, Pushkar Enclave
Pastime Vihar
New Delhi-63
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13. Surender Singh s/o Devi Singh
E-23, Nawada Housing Complex
Kakrola Moar
New Delhi-59
14. Sunil Kumar Sharma s/o G.C.Sharma
C-2A/16/91, Janakpuri
New Delhi-58
15. Ajay Kumar s/o S.Dass
WZ-175/B, Street No.
Krishna Park, NewDelhi-18
16. Roshan Lal Sheoran s/o Sukhi Ram
1235 Sector 8, R.K.Puram
New Delhi
17. Hans Raj s/o MoolChand
B-III/237, Raghubir Nagar
Delhi-27
18. Anil Sharma s/o Rajinder Kumar Sharma
House No.110/1, Acharya Puri
Gurgaon-122001
19. Rati Ram s/o Net Ram
WZ/H-42, Uttam Nagar,
New Delhi-56
20. S.C.Verma s/o Thakur Das
r/o GH-4/35, Meera Apartments
Pastime Vihar, New Delhi-63
21. Ram Swaroop Suman s/o Karan Chand
A-176, Moti Bagh-I
New Delhi-21
22. Sat Ram Yadav s/o Ram Rattan Yadav
R/O 59/1 Acharya Puri, Gurgaon
23. Sushil Kumar s/o Prabhakar Kumar
6H/133, Sector 5,
Rajender Nagar, Shahibabad
Ghaziabad (UP)
24. Ashok Kumar s/o Puran Chand
369, Sector-2, Type II
Sadiq Nagar, New Delhi-49
25. Attar Singh s/o Inder Singh
r/o E-2/49, Chanakya Place-I
Pankha Road
NewDelhi-59
26. Virender Singh s/o M.S.Rawat
R/o A-375 Moti Bagh-I
New Delhi-21
27. V.K.Mahindru
s/o Late Shri T.C.Mahendru
Res. NIL-37A, Malviya Nagar,
New Delhi-17

V.C.

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(3)

28. Kaushlesh Kumar
s/o Late Shri Anadishwar Prasad
Res.68/18, Friends Colony
Gurgaon -122001 (Haryana)
29. K.K.Sharma
s/o Late Shri Mangi Lal Sharma
c/o Shri Ram Kishar Sharma
X/3284, Raghuberpura No.2
Gali No.4, Gandhi Nagar, Delhi
30. R.S.gupta
s/o Shri Udmi Ram
r/o E-23, Ranjit Singh Road
Adarsh Nagar, Delhi-33
31. Shri Pritam Lal
Son of Late Krishan Lal
M-303, Guru Har Kishan Nagar,
New Delhi-95
32. Subhash Chander
Son of Late Shri Krishan Lal
A-26, Vivek Vihar Phase-II
Delhi-95
33. K.V.Kaushik
Son of Shri Laxmi Narain
1052/31, Kamla Nagar,
Rohtak Haryana
34. Shri R.K.Bhatta
Son of Late Shri R.L.Bhatta
CC-29F, Hari Nagar,
New Delhi-64
35. M.C.Khulbe
s/o Late Shri R.D.Khulbe
A-187, New Ashok Nagar,
Delhi
36. Sharwan Kumar Gupta
s/o Late Shri J.P.Gupta
1/9306 Partap Pura
Gali No.2/2 West Rohtash
Nagar Shahdra, Delhi-32
37. Ramesh Chandra Sharma
son of Shri H.L.Sharma
H.No.252, Sector6
Bahadur Garh, Haryana
38. Ravi Kant Sharma
son of Shri B.D.Sharma
F-464 Vikaspuri
New Delhi-18
39. R.K.Jain
son of Shri C.L.Jain
Sector 13 Plot 14
Rohini, Delhi-85
- 18-

- 32
40. Jasbir Singh
son of Shri Partap Singh
546, Kukeem Pura
Subzimandi Delhi-7
 41. Ramesh Chandra Pant
son of Shri C.B.Pant
F-2, Mitra Dweep Apartment
Plot No.38, I.P. Extension
Delhi-92
 42. Shri V.P.Rastogi
WB 79-A Gali No.4
Sakkarpur, Delhi
 43. Shri P.K.Sapra
B 211, Hari Nagar, New Delhi
 44. Shri J.K.Sangwan
123/3, Sector 1, Pushp Vihar
M.B.Road, New Delhi-17
 45. Shri O.P.Dhawan
B.28-D, Street O-3
Kanti Nagar,
Krishna Nagar, Delhi
 46. Shri S.K.Sapra
236, New Loyal Pur
Chander Nagar
Near Krishna Nagar
New Delhi
 47. Shri S.C.Khullar
C-13, Sector 13, Plot No.47
Sai Apts., New Delhi, Rohini

...Applicants

(By Advocate: Shri V.K.Rao)

Versus

1. Union of India
through Secretary
Ministry of Urban Dev.
& Poverty Eliviation
Nirman Bhavan, New Delhi
 2. Chief Secretary
Govt. of NCT of Delhi
Delhi Sachivalaya, IP Estate
Delhi
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3. Principal Secretary (Finance)
Govt. of NCT of Delhi
Delhi Sachivalaya
IP Estates, New Delhi
4. Chief Controller of Accounts
Ministry of Urban Development and
Poverty Eliviation, Nirman Bhavan
New Delhi.

..Respondents

(By Advocate: Shri M.M.Sudan, learned senior counsel
for respondent Nos. 1 & 4 and
Smt. Avnish Ahlawat, learned counsel
with Shri Mohit Madan, learned counsel
for respondent Nos. 2 & 3)

1. SAS Qualified Employees Association
10, Hazarapark, Shiv Puri Delhi
through General Secretary
2. R.K.Sharma, General Secretary
SAS Qualified Employees Association
B-586, Delhi Administration Flats
Timarpur Delhi-54

..Intervenors in MA-665/2002

(By Advocate: Shri S.K.Gupta)

1. Shri P.K.Ashri
AAO
s/o Late Shri Jyoti Prashad Ashri
R/O J-44-B, East Vinod Kumar
New Delhi-91
2. Sh. Parkash Chand, AAO
s/o Shri Moti Ram
r/o 531, Kalyan Vas
Delhi-91
3. Shri L.D.Joshi, AAO
s/o Shri Laxmi Dutt Joshi
R/o 20/20, Jam Nagar House
Man Singh Road, Delhi
4. Shri P.C.Rana, AAO
r/o A-168, Nand Ram Park
Uttam Nagar, New Delhi
5. Mrs. Geeta Sharma, AAO
r/o 150/C Nimri, DA Flats
Ashok Vihar, Phase IV
Delhi-52
6. Shri Man Mohan Singh, AAO
r/o 67, Satya Niketan
N.Delhi-21
7. Shri K.N.Sharma, AAO
s/o Shri L.D.Sharma
r/o 282, DA Flats, Nimri Colony
Ashok Vihar, Phase IV, Delhi-52

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8. Shri A.K.Bhalla, AAO
s/o Late Shri B.J.Bhalla
Flat No.A-154, Shakti Apartments
Plot No.5, Sector-9
Rohini, Delhi-85
9. Shri D.V.Palta, AAO
s/o Shri Gyan Chand Palta
r/o C-293, Minto Road Complex
N.Delhi-2
10. Shri Gurcharan Dass, AAO
s/o Shri Ram Rakha Kaushal
r/o E-59, Moti Bagh I
New Delhi-21
11. Shri J.C.Sharma, AAO
s/o Late Shri Ganga Ram
Q.No.2, D.A.Flats,
Gulabi Bagh, Delhi-91
12. Shri T.S.Rawat, AAO
s/o K.S.Rawat
r/o 318, Karkardooma
Delhi-92

..Intervenors in MA-785/2003

(By Advocate: Shri R.M.Bagai)

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, VC (J):-

This Original Application has been filed earlier by 49 applicants and names of two have been deleted, consequently leaving 47 applicants. They have stated in para 1 of the OA that they have filed the application against the purported action of respondent Nos. 3 and 4, which has been corrected ~~to~~ as respondent Nos. 2 and 3, i.e., Govt. of National Capital Territory of Delhi (hereinafter referred to as "Delhi Govt."), for not passing formal orders of absorption, despite a decision in that regard having been taken by respondent Nos. 1 and 4, the Union of India.

2. The applicants have referred to a letter issued by the Delhi Govt. dated 13.3.2002 addressed to the Secretary, Ministry of Urban Development & Poverty

Alleviation/Union of India, which has, however, ^{is} not been sought to be quashed or set aside in the prayers contained in paragraph 8 of the OA.

3. We have heard Shri V.K.Rao, learned counsel for applicants, Shri M.M.Sudan, learned counsel for respondent Nos. 1 and 4/Union of India and Smt. Avnish Ahlawat, learned counsel for respondent Nos. 2 and 3/Delhi Govt. and have perused the pleadings and relevant documents on record.

4. As we have also heard Shri S.K.Gupta, learned counsel in MA-665/2002 and Shri R.M.Bagai, learned counsel in MA-785/2003, those MAs are allowed. We find that both the learned counsel in MAs have more or less raised similar contentions as have been raised by Smt. Avnish Ahlawat, learned counsel for Delhi Govt.

5. We note that the present application is a sequel to a number of other applications and Special Leave Petition which have been decided by the Tribunal and the Hon'ble Supreme Court. By order dated 28.8.1996 in OA-1339/94 with connected OAs, in which one of the applicants was the All India Central Civil Accounts, JAO's Association (Recognised) and five individuals, the Tribunal had given certain directions, copy of the judgment is placed at Annexure A-2. The Delhi Govt. filed Civil Appeal Nos.2971-2973/97 before the Hon'ble Supreme Court against this order of the Tribunal. It is relevant to note the opening observations of the Hon'ble Supreme Court that "This is a matter which ought to have

been resolved by respondent No.8 (Union of India) and the appellants, i.e., the Delhi Govt. and unnecessary litigation is being resorted to by all the parties". After hearing the learned counsel for parties and perusing the relevant documents on record, we respectfully reiterate the observations of the Hon'ble Apex Court in this regard. The issues in the present application squarely fall within the purview of the Executive authority of the Delhi Govt. and the Central Govt. who ~~ought~~ ought to have resolved this situation, in terms of the Hon'ble Supreme Court's judgment dated 3.10.2001, but unfortunately that has not happened.

6. According to Shri M.M.Sudan, learned senior counsel, the Central Govt., in pursuance of the directions of the Hon'ble Supreme Court dated 3.10.2001, issued a letter dated 23.11.2001. We find in this letter that a reference has been made to the judgment/order of the Hon'ble Apex Court dated 3.10.2001 and they have stated that they are taking steps "for absorption of Divisional Accountants of this Ministry on deputation to the PWD of NCT Delhi in the Delhi Administration Accounts Service" for which willingness of the concerned officials had been sought. Out of 59 such officers from the Ministry/Central Govt., who were posted in PWD of Delhi Govt., 49 had opted for absorption in the Delhi Administration Accounts Service and we are informed that 10 had not given any such option. They had accordingly called upon the Delhi Govt. to issue formal orders in this regard. This was followed by a reminder dated 20.12.2001.

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7. On the other hand, the main contention of Smt. Avnish Ahlawat, learned counsel for Delhi Govt., is that the aforesaid order issued by the Central Govt. dated 23.11.2001 is not in accordance with the orders of the Hon'ble Supreme Court dated 3.10.2001. She has submitted very vehemently that the order of the Hon'ble Apex Court can be implemented in the manner that has been stated therein, where, inter alia, the relevant Delhi Administration Accounts Service Rules, 1982 (hereafter referred to as "DAAS Rules") have been upheld and have also to be implemented.

8. Learned counsel for Delhi Govt. has submitted that the decision and letter issued by respondent No.1/Central Govt. dated 23.11.2001 is incorrect and not in terms of the aforesaid order of the Hon'ble Supreme Court dated 3.10.2001. She has submitted that according to the Delhi Govt., they were also implementing the aforesaid order of the Hon'ble Apex Court, which they have tried to explain to the Central Govt. in various letters, including drawing their attention to Rules 5 & 7 of DAAS Rules. In the letter dated 17.1.2002, the Delhi Govt. have, therefore, stated that it was not possible for them to accede to the request of the Central Govt. and they accordingly returned the concerned officers/Divisional Accountants to respondent No.1. According to the learned counsel, there is no question at all that they are also bound by the findings of the Hon'ble Supreme Court, as also reflected in the letter dated 2.1.2002 but they were unable to agree with the decision conveyed to them in the letter dated 23.11.2001 by the Central Govt. Their main

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contention is that there is no provision to make any further absorption of concerned employees under the DAAS Rules, nor is there any need to amend the Rules. In those circumstances, letter dated 13.3.2002 was issued to the Central Govt. which has been annexed to the OA as an impugned letter. However, it will be relevant to point out that the reliefs sought by the applicants are more in the nature of mandamus directing Delhi Govt. to pass formal orders in terms of the letter issued by the Central Govt. dated 23.11.2001.

9. Some of the applicants in the present application had also filed two other OAs (OA-39/2002 and OA-81/2002) before the Tribunal, which were disposed by a common order dated 21.1.2002. In this order, a number of contentions raised by the then learned counsel for Delhi Govt. have been dealt with and the same were not accepted. We agree with the contentions of Shri M.M.Sudan, learned senior counsel that the thrust of the arguments and the contentions raised on behalf of the Delhi Govt. in the present OA are repetitive of the contentions already raised by them in OA-39/2002 with connected OA, which had been dealt with by Tribunal's order dated 21.1.2002. Before quoting the decision in the final order of the Tribunal in these OAs, we would like to reproduce below the order of the Hon'ble Supreme Court dated 3.10.2001, which reads as follows:-

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"In the result, we set aside the order made by the Tribunal and direct respondent No.8 (Union of India) to take appropriate steps to give effect to the proposal made by the appellants or to take steps for absorption in Delhi Administration Accounts Service as

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indicated by the Tribunal to which we have adverted to above. Let such action be taken within three months from today."

The order of the Tribunal dated 21.1.2002 in OA-39/2002 with connected OA reads as follows:-

"9. Having regard to the reasons recorded and discussion made above, we quash the order Annexure A-1 dated 3.1.2002 to the effect that the applicants continue in the DAAS till such time that the Government of NCT of Delhi takes a decision in terms of the directions of the Government of India contained in their memorandum of 23.11.2001. Government of NCT of Delhi are further directed to take a decision on the absorption of the applicants in DAAS within a period of three months from the communication of these orders."

10. A copy of the order issued by the Delhi Govt. dated 3.1.2002, submitted by learned counsel is placed on record, which order has been quashed by the Tribunal. Vide this order, the Delhi Govt. has also purported to act in pursuance of the decision of the Hon'ble Supreme Court in transferring/posting of JAOs/AAOs in the various PWD/I&FD Divisions of Delhi Govt., which contains a list of 59 officers. We are informed that no appeal or modification of Tribunal's order dated 21.1.2002 has been obtained from a higher Court. However, the Delhi Govt. has issued the letter dated 13.3.2002, after taking necessary Cabinet approval as to how, according to them, the decision of the Hon'ble Apex Court should be implemented. It is very pertinent to note that all the parties before us are of the uniform view that the whole issue raised in this case is one, i.e., the implementation of the Hon'ble Apex Court's judgment dated 3.10.2001 and

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they are also agreed that that order is the final order, which has got to be implemented.

11. After the present OA was filed by the applicants on 15.3.2002, the Delhi Govt. had filed an Interlocutory Applications (IA Nos.4-6 in Civil Appeal No.2971-2973/97). They have annexed the decision of the Delhi Govt. and the various steps they have taken and their views on how the aforesaid order of the Hon'ble Apex Court should be implemented and they are indeed trying to do.

12. Considering the nature of the main relief prayed for by the applicants, i.e., for a direction to respondent Nos. 2 & 3 to issue formal orders of absorption of the applicants in Delhi Administration Accounts Service and the aforesaid order of the Hon'ble Supreme Court dated 3.10.2001, we reject the contention of the learned counsel for respondent Nos. 2 & 3 that this OA is not maintainable.

13. From the brief facts mentioned above, it is seen that after the Hon'ble Apex Court's order dated 3.10.2001, no doubt both the Governments, i.e., Central Govt. and the Delhi Govt. have been trying their best to implement the order in the manner they think appropriate. However, this had led to repeated litigation. Smt. Avnish Ahlawat, learned counsel for Delhi Govt. has submitted that the Central Govt. has also answered a question in Parliament that the Central Govt. have as much as 87 posts lying vacant in their Accounts Service, whereas on behalf of Delhi Govt., it is submitted that they have at

least 108 Subordinate Accounts Service (SAS) persons, who are fully qualified and awaiting posting. These facts and figures of concerned persons for absorption/appointment and so on, would be in the knowledge of both the Governments, who, for whatever reasons, do not seem to want to solve the problem before them, especially when the Hon'ble Apex Court has already given a decision dated 3.10.2001. However, in all fairness to the parties, we note their submissions that they all are sincerely trying to implement the judgment of the Hon'ble Supreme Court dated 3.10.2001. The Hon'ble Apex Court had, in its order dated 3.10.2001, given three months to respondent No.1/Central Govt. to carry out its orders and more than a year has elapsed since then. No doubt, both the Governments are exchanging letters after letters but each one seems to be sticking to their point of view, while at the same time professing that they are only trying to implement the Hon'ble Supreme Court's order dated 3.10.2001. At the same time, this exercise must come to finality sooner than later to resolve the pending dispute.

14. In the aforesaid IA Nos.4-6 in Civil Appeal Nos. 2971-73/1997 read with IA Nos. 7-9 of 2003 filed by the Delhi Govt., the Hon'ble Supreme Court have dismissed the IAs vide their orders dated 25.11.2002 and 3.3.2003, respectively. These orders are also very relevant and it now remains only for the two Governments, i.e., Central Govt. and the Delhi Govt. to fully implement Hon'ble Apex Court's order dated 3.10.2001 without any further unnecessary delay.

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15. In this connection, the earlier order of the Tribunal dated 21.1.2002 in OA-39/2002 with connected case is relevant, against which no appeal has been filed. In the facts and circumstances of the case, we see no good grounds to differ from the findings of the co-ordinate Bench of the Tribunal in that order, in which after quashing and setting aside the letter issued by the Delhi Govt. dated 3.1.2002, further directions have been given, which have been reproduced in paragraph 9 above. Subsequently, the Delhi Govt. has issued the letter dated 13.3.2002 in which they have conveyed their decisions to Central Govt. that JAOs/AOs presently on deputation without deputation allowance and working in Divisions of PWD & I&FC Department will not be absorbed in DAAS in view of the provisions of 1982 Rules and the facts that SAS qualified employees are available with them and there is also no need to amend the Rules.

16. Having said what we have said above, we are of the considered view that this is a matter where, in the first instance, there ought not have been repeated litigation mainly on the ground that the two concerned Governments, i.e., the Central Govt. and the Delhi Govt. are not seeing eye to eye in the matter of implementation of Hon'ble Supreme Court's order dated 3.10.2001. It requires discussions and a decision to be taken may be at the highest level by the executive, and a solution has to be thrashed out by the concerned officers in order to avoid multiplicity of litigations, which is not in public interest and the balance of convenience of the parties which is a salutary principle. This ought to be borne in

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mind by the official respondents in the present application. This has unfortunately not been done, in spite of the clear directions of the Hon'ble Supreme Court in its order dated 3.10.2001. We refer to the decision of the Hon'ble Apex Court as clear because the Hon'ble Supreme Court itself has taken a decision to dismiss the aforesaid Interlocutory Applications filed by Delhi Govt. seeking clarifications of the order, as they appeared to be unnecessary. Presently, the conclusion of the Tribunal in the order dated 21.1.2002 in OA-39/2002, with connected case, cannot be re-agitated on behalf of the Delhi Govt. in the manner sought to be done in the present application, i.e., on the same grounds which have already been considered and rejected, with further directions contained in paragraph 9 of the order. That order having become final read with the order of the Hon'ble Supreme Court's order dated 3.10.2001, the concerned Governments, i.e., Central Govt. and Delhi Govt. are bound to implement them, towards which the Central Govt. has taken action in issuing the letter dated 23.11.2001. A decision to the contrary taken by the Delhi Govt. dated 3.1.2002 has been set aside with a direction to Delhi Govt. to take a decision "in terms of the directions of the Government of India contained in their memorandum of 23.11.2001".

17. In view of what has been stated above, it cannot be held that the letter issued by the Delhi Govt. dated 13.3.2002 is either in terms of the Hon'ble Supreme Court's order dated 3.10.2001 or Tribunal's order dated 21.1.2002 and the issue has, therefore, to be reconsidered

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in proper manner by the Delhi Govt. as indicated above. It is pertinent to note that the two Governments are still exchanging letters with reference to the Hon'ble Apex Court's order and its implementation in a proper manner.

18. In the facts and circumstances of the case and also in the fitness of things, the present OA is disposed of in the following terms:-

- i) Central Govt. should take into consideration such difficulties as have been pointed out by the Delhi Govt. strictly within the parameters laid down by the Hon'ble Supreme Court as expeditiously as possible. For this purpose, it will be left open to the wisdom of the two Governments to convene a meeting at a sufficiently senior level to sort out the matter. Towards this purpose, we may suggest that it would be appropriate for the two Governments to have consultations/meetings at appropriately senior levels so that the aforesaid orders of the Hon'ble Supreme Court and Tribunal are implemented in letter and spirit expeditiously.
- ii) They shall also keep in view the relevant facts which have been mentioned briefly above, so that interests of the concerned parties are taken into account and the decision arrived at by the concerned authorities in terms of the aforesaid order of the Hon'ble Supreme Court. The respondents shall pass fresh orders, after

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reconsidering the case within a period of three months from the date of receipt of a copy of this order.

- iii) In the facts and circumstances, we consider it appropriate that till such a decision is taken by the respondents, status quo in respect of the applicants may be maintained.

No costs.

(Govindan S. Tampi)
Member (A)

/s/ Govindan S. Tampi/

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Vice Chairman (J)