

**Central Administrative Tribunal
Madras Bench**

OA 310/00145/2020

Dated Thursday the 30th day of January Two Thousand Twenty

P R E S E N T

Hon'ble Shri. P. Madhavan, Member (J)
&
Hon'ble Shri. T. Jacob, Member (A)

Dr. J. Mary Leema Thilakam
30/B4, Alacrity Sangath Phase – I & II
MGR Nagar, 2nd Main Road
Velachery, Chennai – 600 042.

... Applicant

By Advocate M/s Isaac Chambers

Vs

1. The Union of India
Rep. By its Secretary to Government
Ministry of Earth Sciences
Prithvi Bhawan
IMD Complex, Lodhi Road
New Delhi – 110 003.

2. The Director
National Institute of Ocean Technology
Pallikaranai, Chennai – 600 100.

...Respondents

By Advocate Mr. C. Kulanthaivel (R1)
Mr. V. Vijay Shankar (R2)

ORAL ORDER

Pronounced by Hon'ble Mr. P. Madhavan, Member(J)

The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“a. For a direction directing the respondents to consider the applicant for the post of Scientist – F (Life science advertised by NIOT in November 2018 and kept on hold) on par with her former colleague or the least as Scientist-B or above on par with her juniors in the same Department (Marine Biotechnology Department of NIOT).

b. To grant such further or other relief or reliefs as this Tribunal may deem fit and proper in the circumstances of the case and thus render justice.”

2. When the matter came up for consideration, learned counsel for the applicant submits that the applicant was initially appointed as Technical Assistant on adhoc basis in the 2nd respondent Organisation. Presently she is working as Scientific Assistant Grade B which is redesignated as Scientific Officer Grade-I. The applicant is entitled to be promoted as Scientific Assistant Grade C w.e.f. 01.01.2017. In this regard the applicant was called for a review by the 2nd respondent Institute and the promotion to the post of Scientific Assistant Grade C was kept in abeyance. The 2nd respondent published notification in the year 2011 calling for application for the post of Scientist B and the applicant applied for the said post. She was called for interview on 23.11.2011 but she was not selected for the post of Scientist B. Further the 2nd respondent Institute advertised for the post of Scientist-F in the year 2018. The applicant is eligible for the said post and she

applied for the same and the same is kept on hold. The applicant states that there is clear discrimination on the part of the 2nd respondent in not promoting the applicant as Scientist B. The applicant submitted representation to the respondents to consider her to the post of Scientist-F or the least as Scientist-B on par with her former colleague or on par with her juniors which is pending with the respondents for consideration. He submits that the applicant will be satisfied if her representation is disposed of by passing a speaking order within a time limit stipulated by this Tribunal.

3. Mr. C. Kulanthaivel takes notice on behalf of first respondent and Mr. V. Vijay Shankar takes notice for the second respondent.

4. **In view of the limited submission made and without going into the substantive merits of the case, the competent authority is directed to consider Annexure A34 representation of the applicant dated 29.08.2019 in accordance with law and pass a reasoned and speaking order within a period of one month from the date of receipt of copy of this order.**

5. OA is disposed of at the admission stage.

(T. Jacob)
Member(A)
AS

30.01.2020

(P. Madhavan)
Member (J)