

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 1192 of 2001

New Delhi, this the <sup>1st</sup><sub>2nd</sub> day of April, 2002

HON'BLE MR. V.K. MAJOTRA, MEMBER (A)  
HON'BLE MR. KULDIP SINGH, MEMBER (JUDL)

Banshi Dhar Panday

S/o Late Shri Dwarika Prasad Panday

Engineering Assistant (Employees No. 12287)

Doordarshan Kendra, Srinagar (J&K)

Residential Address

Block-C, Room No. 105

Tourist Reception Centre,

Srinagar (J&K).

-APPLICANT

(By Advocate: Shri D.N. Sharma)

Versus

1. Union of India  
(Through: The Secretary to the Government of India),  
Ministry of Information & Broadcasting)  
Parsar Bharti Board,  
Shastri Bhawan,  
New Delhi.
  2. The Director General,  
Doordarshan  
(Broadcasting Corporation of India)  
Mandi House,  
Copernicus Marg,  
New Delhi.
  3. The Director General  
All India Radio/Broadcasting Corporation  
of India,  
Akashvani Bhawan,  
Parliament Street,  
New Delhi.
  4. The Chief Engineer (North Zone)  
Akashvani and Doordarshan/Broadcasting  
Corporation of India,  
Jamnagar House Hutments,  
Shahjahan Road,  
New Delhi.
  5. Shri Dabbal Singh Bisht,  
Senior Engineering Assistant,  
All India Radio/Parsar Bharti  
Najibabad (UP).
  6. Shri Deepak Kumar  
Senior Engineering Assistant,  
Low Power Television Transmitter,  
Hanumangarh (Rajasthan).
- (By Advocate: Shri R.P. Aggarwal, Counsel for respondents No. 1 to 4.

-RESPONDENTS

None on behalf of respondent Nos. 5 & 6.

8

ORDERBy Hon'ble Mr. Kuldip Singh, Member (Judl)

The applicant who is working as Engineering Assistant, All India Radio/Doordarshan, has a grievance against order dated 12.1.2001 (Annexure A-1) when he has been denied promotion as Senior Engineering Assistant.

2. We have heard the learned counsel for the parties and gone through the records of the case.

3. The post of Senior Engineering Assistant is a non-selection post meaning thereby that a candidate is entitled to be promoted on the basis of seniority subject to rejection of unfit.

4. According to the applicant for the post of Senior Engineering Assistant as per Recruitment Rules, last 5 years ACRs are to be taken into consideration and the applicant claims that he has throughout a satisfactory record and has never been conveyed any adverse remarks, so he is entitled to be granted promotion.

5. As against this, Shri R.P. Aggarwal appearing for the respondents submitted that the applicant has a right of consideration for promotion to the post of Senior Engineering Assistant and he has been duly considered by the Departmental Promotion Committee constituted for the purpose when vide Annexure A-I various candidates were considered for promotion. However, the learned counsel for the respondents pointed




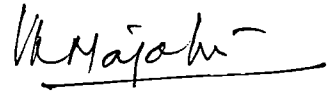
9

out that the applicant was found unfit for being promoted to the next higher post of Senior Engineering Assistant. He has also produced the record of the DPC dated 30/31.10.2000. We have gone through the same.

6. We have also gone through the ACRs of the applicant and find that the DPC had adopted the criteria to consider the last 3 years ACRs as the eligibility date. After going through the ACRs we find that the DPC had rightly held the applicant to be unfit for promotion so the OA does not call for any interference.

7. In view of the above, OA has no merits and the same is dismissed. No costs.

  
(KULDIP SINGH)  
MEMBER (JUDL)

  
(W.K. MAJOTRA)  
MEMBER (A)

Rakesh