

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO.1540/2001

This the 6th day of March, 2002.

HON'BLE SHRI V.K.MAJOTRA, MEMBER (A)

HON'BLE SHRI KULDIP SINGH, MEMBER (J)

1. Smt. ~~Anjeeta~~ Arora
2. Smt. Urmila Makhija
3. Smt. Pushpa Lalta
4. S.P.Tiwari
5. J.P.Sharma
6. R.S.Kaushik
7. P.D.Sharma
8. Smt. Nutan Siyon

(All employed as Senior Translators
in the Deptt. of Revenue,
Ministry of Finance and under the
Cadre Controlling Authority of
Dte. of Income Tax (RSP & PR),
Mayur Bhawan, 6th Floor,
New Delhi.)

... Applicants

(By Shri D.R.Gupta, Advocate)

-versus-

1. Union of India through
Secretary, Ministry of Finance,
Deptt. of Revenue,
North Block, New Delhi.
2. Chairman,
Central Board of Direct Taxes,
North Block, New Delhi.
3. Director General (Admn.),
Income Tax Deptt.,
Mayur Bhawan, 7th Floor,
New Delhi.
4. Director,
Dte. of Income Tax (RSP&PR),
Mayur Bhawan, 6th Floor,
New Delhi.

... Respondents

(By Shri R.S.Aggarwal, Advocate)

ORDER

Hon'ble Shri V.K.Majotra, Member (A) :

Applicants have challenged order dated 21.9.2000
(Annexure A-I) whereby terms of deputation of Shri

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K.Rajshekhar and Smt. Namita Srivastava as Assistant Director (Official Language) have been extended beyond three years from 8.10.2000 to 7.10.2001 and 3.10.2000 to 2.10.2001 respectively. It is alleged that such extension has been granted in violation of recruitment rules of 1999 for the post of Assistant Director (Official Language). Applicants have also challenged the decision of respondents to absorb the aforesaid officials on regular basis as Assistant Director (Official Language) by transfer, again, allegedly in contravention of the aforementioned rules.

2. Meanwhile, the tenure of deputation of the aforesaid persons has been further extended by order dated 19.11.2001 by one year up to 7.10.2002 and ~~and~~ 2.10.2002 respectively.

3. Learned counsel of applicant stated that the post of Assistant Director (Official Language) is to be filled by promotion and deputation in the ratio of 40:60. However, respondents have continued to fill up these posts by deputation in excess of the deputationists' quota under the rules.

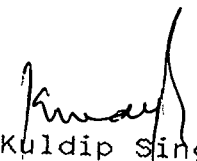
4. Learned counsel of respondents stated that respondents have filed an additional affidavit as well to state that the total working strength of the posts of Assistant Director (Official Language) is 70. Whereas 8 such posts have been filled by direct recruitment, 39 have been filled by promotion, and only 16 by deputation. There are 7 vacancies at present. The learned counsel

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stated that whereas deputation of Shri K.Rajshekhar and Smt. Namita Srivastava has been extended up to October, 2002 in terms of the aforesaid rules by the competent authority, posts of Assistant Director (Official Language) have been filled up by promotion much in excess of the promotee quota.

5. Whereas applicants have not challenged the order dated 19.11.2001 of respondents extending the term of deputation of Shri K.Rajshekhar and Smt. Namita Srivastava up to October, 2002, we find that whereas the posts of Assistant Director (Official Language) have been filled much in excess of promotee quota, deputationists' quota has not yet been exhausted. Respondents have also denied any orders having been passed for absorption of Shri K.Rajshekhar and Smt. Namita Srivastava, nor have the applicants furnished any proof regarding respondents' decision for absorption of these officials as Assistant Director (Official Language).

6. Having regard to the above discussion, we do not find any merit in the present OA. It is dismissed accordingly. No costs.


(Kuldip Singh)
Member (J)

/as/


(V. K. Majotra)
Member (A)