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Central Administrative Tribunal
Principal Bench

O.A.1541/99

New Delhi this the 24th day of August, 1999

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

Y.K. Mehta,
Video Executive,
Doordarshan Kendra,
New Delhi.

R/o 150, Akashdarshan,
Mayur Vihar, Delhi-110091. ... Applicant.
Applicant in person.

VERSUS

1. Union of India through its Secretary
Ministry of Information & Broadcasting
Shastri Bhawan, NEW DELHI-110001.
 2. The Director General, Doordarshan
Mandi House, NEW DELHI-110001.
 3. Dr. M.B. Pahari
Deputy Director General of Doordarshan
Doordarshan Kendra,
NEW DELHI-110001.
 4. The Chairman,
Union Public Service Commission,
NEW DELHI-110001.
 5. Shri S.K. Mathur
Chief Producer
Doordarshan Kendra,
NEW DELHI-110001.
 6. Shri M.S. Oberoi
Chief Producer, Doordarshan
Mandi House, NEW DELHI-110001.
 7. Shri Kulbhushan
Director,
Doordarshan, Lucknow.
 8. Shri Abinash Chander,
Chief Producer, Doordarshan,
Mandi House, NEW DELHI-110001.
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9. Shri M.M. Saigal
Chief Producer,
Doordarshan, Mandi House,
NEW DELHI-110001.
10. Shri S.C. Behr
Chief Producer, Doordarshan,
Mandi House, NEW DELHI-110001.
11. Shri B.R. Wadhan
Chief Producer,
Doordarshan Kendra, CALCUTTA.
12. Shri Y.N. Johri
Chief Producer,
Doordarshan Kendra, Agartala.
13. Shri Srinath Prasad
Chief Producer, Doordarshan,
Mandi House, New Delhi.
14. Shri P.S. Palaniswamy
Chief Producer,
Doordarshan Kendra, Bangalore.
15. Shri S.K. Bhatia,
Director, Doordarshan Kendra, Guwati.
16. Shri J.P. Bhagat
Chief Producer,
Doordarshan Kendra, Bhuvaneshwar.
17. Shri M.D. Gera, Chief Producer,
Doordarshan, Mandi House, New Delhi.
18. Shri B.R. Puri,
Chief Producer, DDK, New Delhi.
19. Shri Bhusan Kaul,
Chief Producer Central Production Centre,
Doordarshan, Khelgaon, New Delhi. ... Respondents

By Advocate Shri H.K. Gangwani, proxy counsel for
Shri K.C.D. Gangwani, Sr. Counsel.

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O R D E R (Oral)

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

The grievance of the applicant is against the communication of adverse remarks in his ACR for the period from 1.4.1997 to 31.3.1998 by letter dated 27.1.1999. Against this letter, the applicant had submitted a representation dated 8.2.1999 to the Deputy Director (Administration) which he submits has still not been replied. He submits that Shri Ram Bilas, Deputy Director (Administration) is working with Respondent No. 3 i.e. the Deputy Director General of Doordarshan, Doordarshan Kendra, New Delhi, who could also take appropriate action in the matter of his representation which has also not been done so far. Shri H.K. Gangwani, learned proxy counsel, submits that the respondents have no objection if a direction is given to Respondents 2 and 3 in the O.A. to take an appropriate decision with regard to the representation made by the applicant within four weeks from the date of receipt of a copy of this order. He also undertakes that they would intimate the applicant the result of their consideration of the representation.


2. It is seen from the communication dated 27.1.1999 that the respondents have themselves while communicating the adverse remarks to the applicant stated that he is a good Producer and he is a talented professional with very good knowledge in the field. As submitted by the applicant, under the relevant Rules, it was for the respondents to consider his representation submitted by him on 8.2.1999 and take an appropriate decision in the matter with intimation to the applicant which they have failed to do in spite of more than six months having elapsed since the representation was made. This O.A. has been filed on 7.7.1999 and the main relief

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sought by the applicant is that the adverse remarks in the ACR for the period from 1.4.1997 to 31.3.1998 should be quashed and set aside, although in paragraph 8(b) he has prayed that all confidential reports with any adverse remarks from the year 1989 should be set aside.

3. In view of the above facts and circumstances of the case, the O.A. is disposed of with the following directions:

The competent authority in the Department of Respondent No. 2 or Respondent No. 3 shall consider the applicant's representation dated 8.2.1999 as expeditiously as possible after giving an opportunity of personal hearing to the applicant and dispose of the same with intimation to him. This action in any case shall be taken within one month from the date of receipt of a copy of this order. In case the request of the applicant is agreed to by the respondents, he shall be entitled to such consequential reliefs flowing therefrom in accordance with law and rules. No order as to costs.


(Smt. Lakshmi Swaminathan)
Member(J)

'SRD'