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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.No.2218/99

Tuesday, this the 30th day of January, 2001

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE SHRI S.A.T. RIZVI, MEMBER (A)

J.C.Jhamb
C-3/428, Janakpuri
New Delhi-58.

..Applicant.

(By Advocate: None)

VERSUS

Director of Education,
Directorate of Education,
Govt. of NCT of Delhi
Old Secretariat,
Delhi.

..Respondent

(By Advocate: None)

O R D E R (ORAL)

Hon'ble Shri S.A.T. Rizvi, M (A):-

None appeared on behalf of the applicant as well as on behalf of the respondent when the case was called up for final hearing. We have ^{accordingly} perused the material placed on record by either side.

2. The applicant while working as TGT was promoted as officiating PGT in the Directorate of Education on adhoc basis on 4.10.74. Thereafter, he was again promoted by the DPC as PGT in the pay scale of Rs.550-900/-. This too was a purely adhoc arrangement. The applicant thereafter sought voluntary retirement and was relieved on 28.2.95. The Directorate of Education vide their order dated 2.6.97 issued directions to all the Heads of Schools regarding disbursement of the benefit of selection grade to the teachers subject to the fulfilment of certain conditions. Later, by their order dated 2.6.97, the approval of the competent authority was

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conveyed for the grant of selection grade subject to certain conditions, ^{to} being fulfilled by the individual teachers. A list of Teachers found eligible by the respondent, has been enclosed with the aforesaid office order dated 2.6.97. The applicant figures in the aforesaid list at Sl.No.52 which would show that unless he was found to be disqualified in terms of the conditions stipulated in the order dated 2.6.97, he deserved to be considered for the grant of selection grade from the date shown in the list of teachers enclosed with the aforesaid office order. The applicant's case for the grant of selection grade has ^{however} not been considered despite a series of representations filed by him before the respondent, the last being ^{dated} 7.4.99. The respondent, in the reply, has referred to the very same conditions which have been incorporated in the aforesaid impugned order of 2.6.97 but have not pointed out precisely why the applicant's case could not be considered for the grant of selection grade. The respondent has no comments to offer in respect of the representations filed by the applicant. Clearly, therefore, the matter needs to be looked into by the respondent and he should dispose of the representations filed by the applicant by a reasoned and speaking order. On a perusal of the impugned order dated 2.6.97 and whatever the respondent has to say in the reply, we find that the respondent has not made any reference to the relevant rules or the executive instructions relied upon by him in the matter. We will, therefore, expect the respondent to take into account the relevant rules and executive instructions while considering the

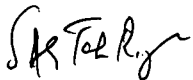
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representations filed by the applicant and in the order to be passed, the respondent should clearly indicate the rules and instructions relied upon by him for not accepting the claim of the applicant.


3. The respondent is accordingly directed to dispose of the pending representations filed by the applicant as expeditiously as possible and in any event within a period of three months from the date of the service of this order.

4. Present OA is disposed of in the aforestated terms. No costs.



(S.A.T. Rizvi)
Member (A)

/sunil/



(Ashok Agarwal)
Chairman