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Central Administrative Tribunal
Principal Bench

O.A. No. 828 of 1998

New Delhi, dated this the 1st ^{JANUARY} ~~December~~, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Mrs. Swaran Kumari Sharma,
W/o Shri O.P. Sharma,
R/o 871, Krishi Kunj,
Inderpuri,
New Delhi-110012.

.. Applicant

(By Advocate: Shri B.B. Raval)

Versus

1. Indian Council of Agricultural
Research through
Director General,
Krishi Bhawan,
New Delhi-110001.

2. The Director,
I.A.R.I., Pusa,
New Delhi-110012.

.. Respondents

(By Advocate: Ms. Geetanjali Goel)

ORDER

MR. S.R. ADIGE, VC (A)

Applicant impugns respondents' order dated
1.12.97 (Annexure A) and seeks placement in Grade
T-2-3 w.e.f. 1984, with consequential benefits.

2. Heard both sides.

3. Applicant who had a certificate in
Library Science joined IARI as Junior Library
Assistant Grade II (Rs.130-300) on 31.1.1968.

4. On 1.10.75 ICAR of ^{which} ~~which~~ IARI form a part,
introduced new personnel policies, and for this
purpose framed Technical Services Rules (TSR). As

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per these Rules, the Technical Services of ICAR was divided into three categories.

- Category I (T-1, T-2 and T-1-3)
- Category II (T-2-3, T-4 & T-5)
- Category III (T-6, T-7, T-8 & T-9)

5. Applicant was assessed under the aforesaid Technical Services Rules and approved for posting as Library Assistant in T-1-3 Grade in Category I in 1976. In 1984 she obtained a Bachelor Degree. Her further career advancement was through a system of merit promotion from one grade to the next higher grade irrespective of the occurrence of vacancies in the higher grade, after expiry of five years in the grade.

6. As per applicant's own averments, the relevant Recruitment Rules (RRs) were amended on 3.7.86, whereby a Bachelors Degree with Diploma/Degree (B. Lib) in Library Information Science or any equivalent degree or certificate conferred by any organisation and approved by Ministry of Education was no longer an essential qualification for appointment to the post of Assistant Librarian (Grade T-2-3). A person holding Bachelors Degree in any subject and certificate in Library Science approved by Education Ministry was made eligible for appointment to the post of

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Assistant Librarian (Grade T-2-3).

7. However, the Note below Rule 6.2 of the Technical Service Rules laid down that since merit promotions were restricted within the Category, persons holding higher grades viz. Grade T-1-3 in Category I, Grade T-5 in Category II and T-9 in Category III are not eligible for further promotions.

8. The aforesaid bar for movement from Category I to Category II was removed by respondents order dated 1.2.95 (Annexure A-4). Pursuant to the same, applicant was promoted from Grade T-1-3 in Category I to Grade T-2-3 in Category II by order dated 3.2.96 w.e.f. 1.1.95.

9. In this O.A. applicant seeks antedating that promotion from T-1-3 in Category I to T-2-3 in Category II from 1984 but the bar for promotion from Category I to Category II was lifted only by order dated 1.2.95 (Annexure A-4) and till such time as that bar operates, applicant's promotion from Category I (Grade T-1-3) to Category II (Grade T-2-3) cannot be antedated to the date she prays for. Applicant has not specifically impugned the aforesaid order dated 1.2.95, and till such time as the bar for promotion from Category I to Category II stands, it is clear that the relief claimed by her cannot be granted.

10. The O.A., therefore, warrants no interference. It is dismissed. No costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

S.R. Adige

(S.R. Adige)
Vice Chairman (A)

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