

Central Administrative Tribunal, Principal Bench

Original Application No.1828 of 1996

New Delhi, this the 1st day of March, 2000

Hon'ble Mr. S. R. Adige, Vice Chairman(A)
Hon'ble Mr. Kuldip Singh, Member (J)

Tushar Ranjan Mohanty,
S/o Shri Rabi Narayan Mohanty,
Computer Literate
Inter-State Council Secretariat
Ministry of Home Affairs,
Vigyan Bhawan Annexe
Maulana Azad Road,
New Delhi-110011

- Applicant

(Appeared in person)

Versus

Union of India
through the Secretary,
Department of Statistics,
Ministry of Planning and Programme Implementation
Sardar Patel Bhawan, Sansad Marg,
New Delhi-110001

- Respondent

(By Advocate: Shri U. Srivastava proxy counsel
for Shri KCD Gangwani)

O R D E R (ORAL)

By Hon'ble Mr. S.R. Adige, Vice Chairman(A)

1. Applicant seek reliefs contained in paragraph 8 of the OA.

2. We have heard Shri T.R. Mohanty who argued the case in person. Proxy counsel appeared for the respondents.

3. This is a small matter and can be disposed of at the admission stage itself. We have pointed out to Shri Mohanty that relief 8 (ii) is not consequential to relief no. 8 (i) and hence, the reliefs are hit by Rule 10 C.A.T. (Procedure) Rules.

4. Shri Mohanty, thereupon, prayed before us

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for permission to withdraw relief 8 (i) with liberty granted to him to pursue his remedies separately through a representation to the respondents. This prayer is allowed.

5. In so far as relief 8 (ii) is concerned, the respondents themselves in their reply have invited attention to paragraph 21 of OA-2498/90, wherein the Bench had expressed no opinion on the question whether posts held by the officers governed by ISS Rules, 1961 were scientific and technical and whether the work done by them was scientific or technical in nature. The Bench had observed that this may be considered by the Government if applicant made a representation in that behalf, or even otherwise.

6. Applicant Shri Mohanty, who^{was} also the applicant in OA-2498/90, states that he has made a representation dated 8.5.95 (Annexure A-7), in which a prayer has been made to the respondents to take immediate action to declare the ISS as scientific and technical. A perusal of this representation dated 8.5.95 makes it clear that no reasons have been given by the applicant as to why the aforesaid posts in ISS should be treated as scientific and technical.


7. Pursuant to para 21 of the Tribunal's order dated 24.4.95 in OA-2498/90, the question whether posts held by officers governed by ISS rules are scientific or technical, may be considered by the


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Government if applicant makes a detailed self-contained representation, containing reasons for the same in that behalf.

8. The OA is disposed of accordingly. No costs.


(Kuldip Singh)
Member(J)


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

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