

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.1518/94
MA-2494/94

New Delhi, dated the 10th November, 1994

CORAM

Hon'ble Shri N.V. Krishnan, Vice Chairman (A)

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

Mrs A. Lakshmanan,
R/o A-15, Lajpat Nagar-III,
New Delhi-24

.. Applicant

(By Advocate Shri B.B.Raval)

V/s

1. Union of India through the Secretary,
Ministry of Agriculture, Govt. of India,
Krishi Bhawan, New Delhi.
2. The Secretary,
Union Public Service Commission,
Dholpur House, New Delhi.
3. The Secretary,
Dept. of Personnel and Training,
Ministry of Personnel, Public Grievances and Pensions
North Block, New Delhi.
4. The Secretary,
Directorate of Extension,
Ministry of Agriculture,
Krishi Vistar Bhawan,
I.A.S.R.I. Campus, Pusa.
5. Mrs. Neeraj Suneja
Regional Home Economist (RHE)
Directorate of Extension
Dept. of Agriculture and Cooperation
Krishi Vistar Bhawan,
I.A.S.R.I. Campus Pusa, Delhi-12

.. Respondents

(By Advocate Shri V.S. R. Krishna)
for the respondents 1 to 4

(By Advocate Shri M.K.Gupta for the
respondent No.5)

ORDER (ORAL)

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(Hon'ble Shri N.V. Krishnan, Vice Chairman (A))

The matter has come up today in regard to continuances of the interim order.

2. On 4-8-94 when the O.A. came up for admission we noted as follows:-

" Heard. The grievance of the applicant is well-explained in the representation (Ann. 'A') sent by her. The applicant is third in the seniority list at Annexure 'B'. The submission made is that the rule requires 5 years' regular service as Regional Home Economist for promotion, which is not possessed by anyone mentioned in the seniority list. However, the applicant has to her credit ad hoc service of about 7 years done earlier. The request is that when the matter for relaxing the provision is taken up the name of the applicant should also be sent up for consideration. It is alleged that this has not been done and that the respondents have initiated steps only in respect of the first person in the seniority list, i.e. respondent No.5"

In the circumstances we directed that in case any selection was made it shall not be given effect to till 17.8.1994. That order is still continuing.

3. The official respondents 1 to 4 have filed their reply Ann.10 to that reply is the U.O. No.4-17/94-Extn. dated 4-7-1994 sent by the Department of Agriculture and Cooperation (Respondent No.1) to the Department of Personnel and Training (Respondent No.3) regarding filling up of the post of Senior Home Economist in the Directorate & Training of Extension. In that U.O. note the Department of Personnel

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is requested to allow the vacany of senior Home Economist " to be filled by promotion from the feeder grade of Regional Home Economists by granting one time relaxation in experience in favour of them" In this context, the names of four persons in the feeder category of Regional Home Economists, including Respondent No.5 as well as the applicant, have been mentioned for consideration. However, this note does not make any reference to the earlier experience of the applicant on the post of Regional Home Economist.

4. We have heard the parties.

5. We are of the view, that as the Department of Agriculture has already sent the name of the applicant also for considering her name for regular appointment one ground raised in the OA is not proved true. In the circumstances, what is required is only that the other qualifications of the applicant, namely, her earlier experience which is stated to be $8\frac{1}{2}$ years on adhoc basis on the post of Regional Home Economist, should also be brought to the notice of the Department of Personnel and Training. That should be sufficient to dispose of the OA.

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(V)

6. In the circumstances, we dispose of this OA itself with the following directions:-

- i) The first respondent shall convey to the Department of Personnel and Training (i.e. Respondent No.2), in continuation of the Ann.10 U.O. note, full particulars of the earlier adhoc experience of the applicant on the post of Regional Home Economist as mentioned by her in the application, as also the similar ~~old~~ educational qualifications which the others in the feeder category, including Respondent No.5, may have so that the second respondent can take a comprehensive view of the proposal at Ann.10 sent on 4-7-94. A copy of the Recruitment Rules shall also be sent. This should be done by the first respondent within three weeks from the date of receipt of this order.
- ii) The Third respondent is directed to consider the proposal dated 4-7-94 alongwith the additional information to be sent by Respondent No.1, and, in case the proposal has already been considered, it shall be reconsidered after taking into account the additional information.

7. We make it clear that we have not gone into the merits of the OA. Hence, the applicant has the liberty to agitate against any final order in accordance with law.

8. OA is disposed of as above. Therefore, OA 3494/94 has become infructuous. A separate copy shall be sent to Respondent 3.
Lakshmi Swaminathan
(Lakshmi Swaminathan)
Member (J)

(V. Krishnan)
(N.V. Krishnan)
Vice Chairman (A)

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