

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.972/2000

New Delhi, this 29th day of May, 2000

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Smt. Shanta Shastri, Member(A)

Kuldeep Kaul
273C, Pocket II
Mayur Vihar Phase I, Delhi-91 .. Applicant
(By Shri S.K. Sinha, Advocate)

versus

1. Council for Industrial & Scientific Research
through the Director General
Anusandhan Bhavan, New Delhi
2. National Instt. of Science Communication
Through its Director
Dr. K.S.Krishnan Marg, New Delhi .. Respondents
(By Ms. K. Iyer, Advocate)

ORDER(oral)

Hon'ble Shri Justice Ashok Agarwal

Though two other reliefs also ^{also} are claimed, the learned counsel appearing on behalf of the applicant has restricted the claim to the prayer for permission to the applicant to attend the Annual Council meeting of the All India CSIR Scientific Workers Association scheduled to be held in Bangalore between 1st and 3rd June, 2000. Applicant claims to be the Joint Secretary of the aforesaid Association and he desires to attend the Annual Meeting aforesaid. His request for permission to leave station on 29.5.2000 has been turned down by the orders passed on 9.5.2000 and 16.5.2000. Copies of the orders have been annexed to at A-1 and A-2.

2. The aforesaid prayer of the applicant is opposed by the advocate appearing on behalf of the respondents, contending that the aforesaid Association is not a recognised Association and hence the applicant cannot

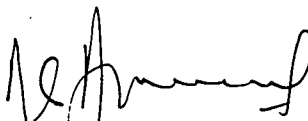
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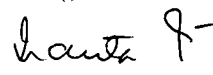
claim as of right to attend the meeting. In our view, if one has regard to the provisions of Article 19(1)(c) of the Constitution of India, appropriate permission cannot be denied on the aforesaid ground namely that the Association is not recognised. Article 19(1)(c) provides that all citizens shall have the right to form associations or unions. Whether the aforesaid Association is recognised or otherwise will not adversely affect the right of the applicant to attend the meeting.

3. In the circumstances, we find that the applicant has made good his prayer for permission to attend the said meeting. The present OA is accordingly made absolute in terms of prayer clause 8 (i), which reads as follows:

"Allow the instant Original Application and quash the orders dated 9.5.2000 and 16.5.2000 annexed as Annexure A-1 and A-2"

4. No order as to costs.


(Ashok Agarwal)
Chairman


(Smt. Shanta Shastri)
Member(A)

/gtv/