



Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.2105/2020
M.A. No.2701/2020

Friday, this the 18th day of December, 2020

Through video conferencing

**Hon'ble Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd.Jamshed, Member (A)**

1. Rajeev Pandey, age 35 years
s/oKapil Ram Pandey
r/o 276-P, Sector 5, Gurugram – 06
working as Assistant Section Officer, CSIR Hqrs.
2. MeesamZaidi, aged 34 years
s/oSardarHussainZaidi
r/o C-21, CRRI Staff Colony
CV Raman Marg, Maharani Bagh
New Delhi – 110 085
working as Assistant Section Officer
CSIR-CRRI, Delhi Mathura Road, New Delhi – 25
3. RitikaSharma, aged 31 years
d/o late KamleshwarDatt Sharma
r/o EA 86, Second Floor
Inderpuri, New Delhi
working as Assistant Section Officer (S&P)
in CSIR National Physical Laboratory
4. MitulGupta, aged 31 years
s/o M.L. Gupta
r/o 99/C-12, Sector 3
Rohini, Delhi – 110 085
working as Assistant Section Officer in CSIR –NPL
5. UpendraUpadhyay, aged 31 years
s/oKishanLalUpadhyay
r/o B-22, CSIR Scientist Apartments
Maharani Bagh, Delhi – 65
working as Assistant Section Officer, CSIR Hqrs.
6. Swati Ranjan, aged 31 years
d/o late Manoranjan Kumar
r/o B-168, South MotiBagh, New Delhi
working as Assistant Section Officer, Audit Section,
CSIR Hqrs, New Delhi – 110 001



7. Abu Jose P, aged 31 years
 s/o Jose P Joseph
 r/o EA 86, Second Floor
 Inderpuri, New Delhi
 Working as Assistant Section Officer
 CSIR Headquarters, New Delhi

8. Sanjay Kumar, s/o Sh. Bikram Ram
 Aged 36 years
 r/o House No.141, H Block
 Sector 223, Sanjay Nagar
 Ghaziabad,
 Uttar Pradesh – 201002
 Working as Assistant Section Officer (G)
 CSIR-HRDC

...Applicants

(Mr. Shivendra Singh, Advocate)

Versus

Council of Scientific & Industrial Research
 Ministry of Science & Technology, Govt. of India
 Through its Joint Secretary (Admin.)
 AnusandharBhawan,
 2 Rafi Ahmed KidwaiMarg,
 New Delhi – 110 001

..Respondent

(Mr. R S Rana, Advocate)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

M.A. No.2701/2020

M.A. seeking joining together in a single petition is allowed.

O.A. No.2105/2020

The applicants are working as Assistant Section Officers(ASOs) in Council of Scientific & Industrial Research (CSIR). The next promotion is to the post of Section Officer. According to the Recruitment Rules, there are three modes of



appointment to the post of Section Officer, namely, (a) promotion of ASOs with eight years of standing, (b) through Limited Departmental Competitive Examination (LDCE); and (c) through direct recruitment.

2. The applicants contend that the respondents are choosing to fill up the posts of Section Officer by promotion and that the LDCE is not being held. Recently, the respondents issued orders dated 08.12.2020 and 14.12.2020 promoting the ASOs. The applicants contend that though a representation was made on 02.09.2019 in this behalf, no steps have been taken thereon.

3. We heard Sh.Shivendra Singh, learned counsel for the applicants and Sh.R.N.Rana, learned counsel for the respondents.

4. The grievance of the applicants is that they are not within the zone of consideration for promotion to the post of SO. However, there existed a facility of promotion through LDCE. The question as to whether the respondents have omitted to conduct the LDCE simultaneously with the promotion or whether there was any lapse on their part, needs to be examined. The representation of the applicants made in this behalf cannot be kept pending indefinitely, particularly when the promotions are being effected.



3. We, therefore, dispose of the O.A. directing the respondents to pass orders on the representation dated 02.09.2019 submitted by the applicants within a period of two months from the date of receipt of a copy of this order.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

December 18, 2020
/sunil/vb/sd