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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.No.2580/2004
M.A.No.2159/2004

Wednesday, this the 27th day of October 2004

Hon'ble Shri Justice V. S. Aggarwal, Chairman
Hon'ble Shri S. K. Naik, Member (A)

1. Government School SC/ST Teachers
Association (Admn./Regd./)
Through its General Secretary Shri Ratan Lal Sarot
Having its registered Office at
E-439, Hardev Puri, Shahdara
Delhi-93
2. Shri Jai Chand, Member
E-439, hardev Puri, Shahdara
Delhi

..Applicants

(By Advocate: Shri Ghanshyam Vashisht)

Versus

1. Directorate of Education
Govt. of NCT of Delhi
Old Secretariat,
Delhi.
2. Govt. of NCT of Delhi
Through its Chief Secretary
Delhi Secretariat, IP Estate
New Delhi

..Respondents

ORDER (ORAL)

Justice V.S. Aggarwal:

MA 2159/2004

MA-2159/2004 is allowed subject to just exceptions. Filing of a joint application is permitted.

OA 2580/2004

The applicants by virtue of the present petition seek quashing of the Notification dated 25.8.2003 introducing the ACP scheme with respect to the teachers working in the Government of National Capital Territory of Delhi and also quashing of the Notification dated 3.6.2004. They further seek a direction that the recoveries should not be effected from them.



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(2)

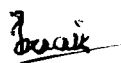
2. Learned counsel for applicant has drawn our attention to certain facts pertaining to merits of the matter but suffice to say that the Ministry of Human Resources & Development had rejected the proposal for introducing the Assured Career Progression scheme with respect to the teachers working in Govt. of National Capital Territory of Delhi in place of existing time bound senior scale/ selection scale. It is contended that based on the Notification introducing the Assured Career Progression scheme, a Notification dated 30.5.2004 had been issued ordering withdrawal of the senior scale/selection scale to the teachers after 9.8.1999.

3. Pertaining to this controversy, the applicants have submitted a representation dated 17.8.2004 to the Director of Education, copy of which Annexure A-8.


4. It was pointed that while the representation is still pending, the recovery is being effected from the salaries of the applicants.

5. Taking stock of these facts, we, at this stage, direct that the Director of Education, Education Department would consider the representation, referred to above, within two months of the receipt of a certified copy of the present order. It shall be highly appreciated if a speaking order is passed in this regard and communicated to the applicants.

6. OA is disposed of.


(S. K. Naik)
Member (A)

/sunil/


(V. S. Aggarwal)
Chairman