

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

(15)

(20)

R.A. No. 170/2004
IN
O.A. 551/2004

NEW DELHI THIS 27th DAY OF JULY 2004

HON'BLE SHRI JUSTICE V S AGGARWAL, CHAIRMAN
HON'BLE SHRI S.A. SINGH, MEMBER (A)

Dr. Manbir S. Sachdev,
S/o Late Shri Amrik Singh Aged about 54 years,
R/o C-40, I.A.R.I. Pusa Campus, New Delhi 110012

Employed as

National Fellow and Principal Scientist
in the Indian Agricultural Research Institute,
Pusa Campus, New Delhi - 110012

.....Review Applicant

VERSUS

1. Indian Council of Agricultural Research
through the Secretary
Department of Agricultural Research and Education
cum Director General, Indian Council of Agricultural
Research, Krishi Bhawan, New Delhi -110001
2. The Chairman,
Agricultural Scientists Recruitment Board,
Krishi Anusandhan Bhavan, Pusa, New Delhi
3. The Director,
Indian Agricultural Research Institute,
Pusa, New Delhi - 110012
4. Dr.P.S. Datta,
Principal Scientist,
Nuclear Research Laboratory,
Indian Agricultural Research Institute,
PUSA, New Delhi-110012.

.....Respondents

O R D E R (IN CIRCULATION)

BY HON'BLE SHRI S.A. SINGH, MEMBER (A)

The present R.A. No.170/2004 has been filed by the
applicant for review of the order passed in OA No.
551/2004 on 6.5.2004.

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2. The Review applicant contends that there is an error apparent on the face of the record and that new facts and information has been discovered which call for a Review of the judgement dated 6.5.2004 in OA 551/2004.

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3. The main ground for review is that the Tribunal has accepted that the Doctoral Degree in non Agricultural Science of Respondent No. 4 as qualification in Agricultural Science based on his recruitment in ARS and that the authority of the Encyclopedia Britanacia has been invoked, instead of accepting the authority of the ICAR, which is the independent authority for this purpose. In addition the review is necessary because the review applicant has discovered OA No. 1515/88 Dr.T. K. Sarkar Vs UOI which supports his case and copy of the advertisement dated 24.9.86 against which the respondent No. 4 was recruited as Scientist S-III (Isotope Hydrologist) .

4. In para 6 of the judgement the Tribunal has clearly indicated that the short question is whether the Ph.D. of Respondent No.4 falls within the ambit of Agricultural Sciences and does it meet the qualification prescribed for appointment to the post in question. Therefore, this question has already been adjudicated upon.

5. With regard to the question of invoking the authority of the Encyclopidia Britanacia for determining whether the qualification of the applicant falls within the major division of Agricultural Science is concerned it cannot be considered to be an error apparent on the face of the record.

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6. The additional information placed on record by the applicant through this application on the ground that this was not available with him at the time of hearing of the original application despite due diligence is not acceptable, because both these are public documents and published before filing of the said OA.

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7. Through this RA the Review Applicant is trying to re-argue the case which is not permissible. The argument put forward in the review application have already been heard in detail while delivering the judgement in this OA and as such the RA has no merit. There is no error ^{apparent} on the face of the record that has been pointed out, which may call for review of the order. Further, the RA does not come within the ambit of order 47 Rule 1 CPC read with Rule 22(3) (f) (i) of the Administrative Tribunals Act.

8. In view of the above, nothing survives in the RA, which is accordingly dismissed in circulation.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

Patwal/