

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

O.A.No.596/93

New Delhi: this the 17 day of May, 1999.

(18)

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

1. Research Assistants Association, Central Hindi Directorate/ Commission for Scientific & Technical Terminology, West Block No. VII, R.K.Puram, New Delhi.
2. Shri J.P. Sharma, S/o Shri R.N. Sharma, working as Asstt. Education Officer (General), Central Hindi Directorate, R.K.Puram, New Delhi-066.

R/o C-112, Nanak Pura,
New Delhi-021

..... Applicants.

(By Advocate: Shri S.C.Luthra)

Versus

Union of India through

1. The Secretary, Ministry of Human Resources Development, (Dept. of Education), Shastri Bhawan, New Delhi-01.
2. The Director, Central Hindi Directorate, West Block VII, R.K.Puram, New Delhi -066.
3. The Chairman, Commission for Scientific & Technical Terminology, West Block VII, R.K.Puram, New Delhi -066.
4. The Secretary, Department of Personnel & Training, North Block, New Delhi -001

.... Respondents.

(By Advocate: Shri V.K.Mehta).

ORDER

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

Applicants had initially filed this OA

(X9)

impugning the recruitment rules for posts of Asstt. Directors in Central Hindi Directorate/ Commission for Scientific & Technical Terminology as being discriminatory in the promotion chances of persons belonging to different grades in general category. They had sought deletion of the provision for promoting excadre A.E.Os(C.C.); abolishing the grouping at AEO(general) level; retention of seniority list of AEO(general) for promotion to the post of Asstt. Director and for raising the departmental promotion quota for ADs on general side. Other reliefs had also been prayed for.

2. Respondents in their reply filed on 17.11.94 had stated that amendment to the RRs were in process.

3. Thereafter applicant filed amended OA on 15.5.97 enclosing a copy of the RRs which had by then been amended by Notification dated 23.9.95. In the amended OA also the reliefs prayed for are identical to those contained in the unamended OA. Despite several opportunities given to respondents no reply has been filed by them.

4. We have heard both sides.

5. The main grievance raised by applicants' counsel Shri Luthra is that Research Assistants have much fewer promotional opportunities as compared to Evaluator(CC) and Research Assistants(Engg.).

6. We note that while prior to the amendments to the RRs applicants had filed several representations to respondents, nothing has been shown to us to establish that even after the amendments to the RRs

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notified on 23.9.95 applicants have submitted any representation to respondents in regard to their grievances with respect to the amended RRs. Before these grievances are subjected to judicial scrutiny we hold that respondents should be given an opportunity to apply their minds to the same, in the context of these amended RRs.

7. Under the circumstance, we dispose of this OA with a direction to respondents to treat the amended OA as a representation filed by applicants and dispose of the same by means of a detailed, speaking and reasoned order under intimation to applicants as expeditiously as possible and preferably within 4 months from the date of receipt of a copy of this order.

8. The OA is disposed of in terms of para 7 above. No costs.

Lakshmi
(MRS. LAKSHMI SWAMINATHAN)

MEMBER(J)

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(S. R. ADIGE)
VICE CHAIRMAN (A).

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