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Central Administrative Tribunal
Principal Bench

O.A. No. 668 of 1993

New Delhi, dated this the 29th April, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mrs. Lakshmi Swaminathan, Member (J)

Shri T.L. Verma,
S/o Shri Madan Lal,
Block 78/1-C Sector 2
Kali Bari Marg, DIZ Area,
New Delhi-110001.

... Applicant

(Applicant in person)

Versus

Union of India through
the Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan,
New Delhi.

... Respondent

(By Advocate: Shri V.K. Mehta proxy
counsel for Shri N.S.Mehta)

ORDER (Oral)

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

Applicant seeks a direction to respondents to issue him the offer of appointment for the post of News Reel Officer as recommended by UPSC.

2. We have heard applicant who argued his case in person and respondents' proxy counsel Shri V.K. Mehta.

3. The reply of respondents reveals that according to the Recruitment Rules prescribed for the post of Newsreel Officer in the Films Division, Ministry of I & B, three posts fell under the Direct Recruitment quota. Accordingly, a requisition was sent to UPSC in July, 1989, on the basis of which one post was reserved for ST and remaining two were unreserved. UPSC advertised one

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post reserved for ST candidate. After completing the process of selection, UPSC recommended the candidature of one Shri R.U. Khapekar but he declined to accept the same, upon which the UPSC recommended applicant's name vide their letter dated 14.2.92. As applicant was already serving in the Ministry of Defence, and medical examination, verification of antecedents and clearance from vigilance angle were pre-requisites, a reference was made to Ministry of Defence vide Ministry of I&B's letter dated 23.3.92 (Ann. R-1), to which the Defence Ministry in their letter dated 12.5.92 (Ann. R-2) intimated that both major as well as minor penalty proceedings were initiated against applicant. Ministry of I&B brought these facts to the notice of the UPSC vide their letter dated 9.6.92, intimating to them that in view of ^{that} position it would not be possible for them appoint applicant in the post of News Reel Officer in the Films Division and UPSC was requested to name another ST candidate.

4. Applicant however, asserts that the post of News Reel Officer in the Films Division reserved for ST candidate is still vacant. Shri Mehta states that there are no material available to him to deny applicant's assertion that the aforesaid post is still vacant.

5. In this connection applicant has stated that there were only two Departmental Proceedings pending against him, both of which have been

withdrawn by orders dated 24.1.94. He, however, states that the officials in the Defence Ministry had separately issued orders discharging him from service, which he challenged vide O.A. No. 1211/91 and by the Tribunal's order dated 3.10.97, the orders discharging applicant from service were quashed and set aside and he was ordered to be reinstated with full back wages. He states that pursuant to those orders of the Tribunal, he has been reinstated and is presently drawing the basic pay of Rs. 9900/- in the scale of Rs. 6500-10500. He asserts that there are no disciplinary proceedings continuing or contemplated against him, and he is completely in the clear from the vigilance angle.

6. Applicant now prays that in the light of the aforesaid facts, the offer of appointment as News Reel Officer in the Ministry of I&B made to him earlier be revived. In this connection he has invited our attention to the interim order dated 16.9.93 passed by the Tribunal directing respondents that any appointment made to the post of News Reel Officer reserved for ST candidate would be subject to the outcome of the O.A., and he emphasises that it is in the light of the aforesaid interim order, that respondents have not filled the post of News Reel Officer reserved for ST till date, and the post is still vacant.

7. In the light of what has been stated above this O.A. is disposed of with a direction respondents to verify the correctness of the statements made above, and thereafter, in accordance with rules and instructions consider issuing offer of appointment to applicant of the post of News Reel Officer in Films Division, Ministry of Information & Broadcasting.

9. These directions should be implemented within three months of the date of receipt of a copy of this order. No costs.



(Mrs. Lakshmi Swaminathan)
Member (J)



(S.R. Adige)
Vice Chairman (A)

/GK/