

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH
~~NEW XXXX EXXXX~~O.A. No. 298 OF 1991
~~XXX XXX~~DATE OF DECISION 19.8.1991Mr. D. K. Patel PetitionerMr. B. G. Jani & Mr. D. T. Soni Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M. M. Singh : Administrative Member

The Hon'ble Mr. S. Santhana Krishnan : Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

D.K. Patel,
C/o. M.D. Patel,
A/16, Ajanta Society,
Nikol Road,
Bapunagar,
Ahmedabad.
(Advocate- Mr. B.G. Jani)

.. Applicant

Versus

1. Union of India,
Through :
The Secretary,
Ministry of Information
and Broadcasting,
Shastri Bhavan,
New Delhi.
2. Press Information Bureau,
Govt. of India,
Akahd Anand Hall,
Bhadra,
Ahmedabad.
3. Deputy Principle Information
Officer,
C.G.O. Building,
101, M.K. Road,
Bombay.
4. Mr. R.B. Shah,
Office of Regional Office of
Field Publicity,
Ashram Road,
Ahmedabad.

.. Respondents

O.A. No. 298 of 1991

O R A L - O R D E R

Dated : 19.8.1991

Per : Hon'ble Mr. M.M. Singh .. Member (A)

This Original Application has been filed under section 19 of the Administrative Tribunals Act, 1985, by the applicant whose application for deputation post of Sub-Editor (Hindi) and one post of Reference . Assistant both in Grade IV of C.I.S. has not been considered by the respondents who in reply to the applicant's application for the deputation post informed him by letter dated

h. s. L

13.9.1990 that his application has been returned by the office with the remarks that the applicant is not eligible to apply for the post as ^{his} pay scale is 950-1500 whereas the required pay scale is ^{applying for} 1200-2040 for the deputation post.

2. We have heard Mr. B.G. Jani, learned counsel for the applicant. We have also gone through the record ^{also} ~~had~~ By letter dt. 5.7.1980, the respondents ~~have~~ earlier filled up some posts by taking persons on deputation and the applicant was also taken on deputation. The pay scale mentioned in that circular is Rs. 470-750. Learned counsel for the applicant strongly argued for the applicant's right to deputation post on the ground that pursuant to circular dt. 5.7.1980 he was taken on deputation.

3. The new circular is dt. 11.7.1990. The post mentioned for filling up by deputation is Junior Grade of Indian Information Service, Group 'B' scale Rs. 1400-2600 (Revised) to be filled up by transfer on deputation basis amongst suitable officers of Central/State Government State Publicity Organisations fulfilling the eligibility conditions laid down. The ^{circular} ~~officer~~ which lays down the eligibility conditions mentions that the applicant should be holding analogous post on a regular basis of holding the post in the scale of Rs. 1200-2040 with 5 years' regular service. The applicant is in the scale of Rs. 950-1500. It is therefore clear that the applicant does not fulfill the very first condition with regard to the persons eligible for making application for the deputation post viz. pay scale Rs. 1200-2040. In view of this, the ^{dt.} ~~dt.~~ applicant did not fulfill the minimum qualification

for deputation. His application made to question reply given to the applicant on the basis, therefore, has no merit. Application is liable to be rejected. We hereby do so.


(S. Santhana Krishnan)
Member (J)


(M M Singh)
Member (A)

*Mogera

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