

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. No. 654 OF 2013

Cuttack, this the 19th day of September, 2013

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (J)

HON'BLE MR. R.C. MISRA, MEMBER (A)

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Bhabani Shankar Biswal,
aged about 31 years,
Son of Sri Trinath Biswal,
Vill/Po- Gotamara, Via- Banarpal,
Dist- Angul. Odisha

.....Applicant

Advocate(s) M/s. S.N.Jena, R.B.Das, S.C.Dash.

VERSUS

Union of India represented through

1. The Secretary,
Department of Mines,
Shastri Bhawan,
New Delhi-110001.
2. Chairman and Managing Director,
National Aluminium Company,
Nalco Bhavan, Plot No.1,
Nayapalli, Bhubaneswar,
Dist. Khurda, Odisha.
3. Executive Director S&P),
National Aluminium Company,
Nalco Nagar, Angul,
PO/Dist- Angul, Odisha.
4. Revenue Divisional Commissioner (N.D.)-cum-Chairman,
Rehabilitation and Periphery Development Advisory
Committee (RPDAC) of NALCO,
At/PO/Dist-Sambalpur, Odisha.
5. The Collector & District Magistrate,
Angul, At/PO/Dist- Angul, Odisha.



6. The Special Land Acquisition Officer,
NALCO, Angul,
At/PO/Dist- Angul, Odisha.

..... Respondents

Advocate(s)..... Mr. D. Pattnaik

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O R D E R (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

In this O.A. filed under Section 19 of the Administration^{ve} Tribunal Act, 1985, the applicant has prayed for a direction to the Respondent Nos. 5 and 6 to consider his case for employment assistance commensurate with his qualification as per the rehabilitation policy framed by the NALCO within a specific period to be fixed by this Tribunal.

2. It is the case of the applicant that he is the adopted son of Trinath Biswal, son of Dhaneswar Biswal, of Village Gotamara and, for construction of a project, the authority occupied the land belonging to the father of the applicant. As per the policy in lieu of acquisition of the land for NALCO, appointment under rehabilitation assistance scheme is to be provided to one of the family members of the land oustees. But despite the fact that the applicant was the duly adopted son of the land owner, whose land was acquired for the purpose of construction of the NALCO project, and despite the fact of making representation, the authorities/NALCO did not provide appointment under rehabilitation assistance scheme to the applicant nor have they communicated any reply on the representation to him.

3. We find that the applicant made representation to the District Magistrate-cum-Rehabilitation Officer, NALCO, of Angul but on our query



it was made clear by the Ld. Counsel for the applicant that the appropriate authority is the Chairman & Managing Director of NALCO, i.e. Respondent No.2, who can consider and provide rehabilitation assistance to the applicant. This being so, on the prayer of Mr. S.C.Dash, Ld. Counsel for the applicant, after hearing Mr. D. Pattnaik, Ld. Panel Counsel for the NALCO, liberty is granted to the applicant to make a comprehensive representation within 15 days annexing thereto all the documents in support of his claim to Respondent No.2 and on receipt of such representation, Respondent No.2 is hereby directed to consider and dispose of the same and communicate the decision thereof to the applicant within a period of 60 days from the date of receipt of the representation.

4. With the aforesaid observation and direction, this O.A. stands disposed of.

5. Copy of this order along with O.A. be sent to Respondent No.2 for compliance at the cost of the applicant for which Ld. Counsel for the applicant will file postal requisites within 7 days.


MEMBER (Adm.)


MEMBER(Judl.)