

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O.A.No.260/00204 of 2014
Cuttack this the 7thth day of April, 2014

CORAM:
HON'BLE SHRI R.C.MISRA, MEMBER(A)

Suphala Sahu
Aged about 49 years
W/o.late Iswar Chandra Sahu
At/PO-Kandasar (Badabandha Sahi)
NALCO Nagar
Dist-Angul

...Applicant

By the Advocate(s)-M/s.P.K.Mishra
A.K.Panda,
S.S.Mishra
A.K.Chaudhury
A.K.Sahoo

-VERSUS-

1. National Aluminum Company Ltd.
Represented through Chairman-cum-Managing Director
NALCO Corporate Office
NALCO Bhawan, Chandrasekhapur
Bhubaneswar, Dist-Khurda
2. The Executive Director, National Aluminum Company Ltd.,
S & P Complex, NALCO Nagar
Dist-Angul
3. General Manager (HRD)
National Aluminum Company Ltd.
Captive Power Plant
HRD Department
At/PO/Dist-Angul
4. Asst.General Manager(HRD),
National Aluminum Company Ltd.,
Captive Power Plant
HRD Department
At/PO/Dist-Angul

...Respondents

By the Advocate(s)-



ORDERR.C.MISRA, MEMBER(A):

Heard Shri P.K.Mishra, learned counsel for the applicant.

2. By drawing my attention to the earlier orders of the Tribunal in O.A.No.780 of 2013, Shri Mishra pointed out that the Tribunal gave opportunity to the applicant to make an exhaustive representation ventilating her grievance regarding payment of revised monthly financial assistance under the NALCO Employees Family Financial Assistance Rehabilitation Scheme (NEFFARS) and the Respondent No.1, i.e., C.M.D. of NALCO was directed to consider and dispose of the said representation within a stipulated period. It is the submission of Shri Mishra that in compliance of the orders of the Tribunal in the above O.A. the applicant made a representation on 14.1.2014 to the C.M.D., NALCO by Speed Post. Shri Mishra also drew my attention to communication sent by the Assistant General Manager (HRD), NALCO to the applicant on 14.3.2014, copy of which is annexed to the O.A. as Annexure-A/10. He has specifically pointed out that although the direction of the Tribunal was that the CMD, NALCO will dispose of the representation and accordingly, representation was specifically made to CMD, NALCO, it is the Assistant General Manager(HRD), NALCO (Res.No.4) who has disposed of and rejected the representation on the ground that it did not have any merit. Since the direction was to a specific authority in the NALCO, any subordinate authority should have ~~not~~ considered and disposed of the representation without obtaining the orders of the concerned competent authority.



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I have seen the records . As per the submissions made by the learned counsel for the applicant, it is found that the order dated 14.3.2014 has been passed by the AGM(HRD) instead of CMD and therefore, the same is quashed. Respondent No.1, i.e., Chairman cum Managing Director, NALCO is directed to consider and dispose of the representation of the applicant as at Annexure-9 and pass a reasoned and speaking order within a period of thirty days from the date of receipt of this order under intimation to the applicant. Accordingly, the O.A. is disposed of at the stage of admission itself. No costs

Send copy of this order to Respondent Nos. 1 and 4 by Speed Post and free copy of this order be made over to the learned counsel for the applicant.


(R.C.MISRA)
MEMBER(A)

BKS