

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.476/95

Monday, this the 5th day of August, 1996.

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. CM George,
Instrument Mechanic(now Assistant Foreman),
Naval Physical & Oceanographic Laboratory,
Cochin-21.
2. A Mathew,
Instrument Mechanic(Retired Assistant Foreman),
Naval Physical & Oceanographic
Laboratory, Cochin-21,
residing at Naissery House, Elookkara,
Muppathadam P.O., Aluva-1.
3. P Mukundan,
Radio Mechanic(Now Assistant Foreman),
Naval Physical & Oceanographic
Laboratory, Cochin-21.
4. KG Jacob,
Radio Mechanic(now Chargeman Grade I), Naval
Physical & Oceanographic
Laboratory, Cochin-21. - Applicants

By Advocate Mrs Sumathi Dandapani

Vs

1. The Director,
Naval Physical & Oceanographic Laboratory,
B.M.C.P.O., Thrikkakkara, Cochin-21.
2. The Director General,
Research & Development,
Research and Development Organisation,
Ministry of Defence,
Directorate of Personnel(B) Wing,
Sena Bhavan, DHQ Post,
New Delhi.
3. The Scientific Advisor to Government
of India, Ministry of Defence,
Research Development, New Delhi.
4. Union of India represented by
Secretary to Government of India,
Ministry of Defence, New Delhi. - Respondents

By Advocate Mr Varghese P Thomas, Additional Central Government
Standing Counsel

The application having been heard on 5.8.96 the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicants seek appropriate directions to promote them as Precision Mechanics, from a date going back by 23 years, from the date on which they approached the Tribunal. Applicants do not disclose the basis of their entitlement, nor respondents the reason for their disentitlement. Applicants made reference to an order of the Bangalore Bench of this Tribunal to support their claim. That order does not show when the claim arose, when the grievance was agitated and like relevant or comparable material. In the face of paucity of pleadings we do not propose to adjudicate on the matter.

2. However, without going into the merits, and without going into the question of limitation, we would only direct respondents who at least should be aware of the rules governing the subject matter to inform applicants regarding the position under the rules. The impugned orders merely say that:

"...appointment to the post of Precision Mechanic was made as per the recruitment rules then in force."

This is the usual government jargon. Authorities are expected to say under what rules and for what reasons an order is passed. We direct first respondent to pass speaking orders in place of A-9, A-10, A-11 and A-12 within four months from today, for the limited purpose of information of applicants. We make it clear that we have not gone into the question of limitation nor found any right in the applicants.

3. Application is disposed of as aforesaid. No costs.

Dated, the 5th day of August, 1996.

P. Venkatakrishnan
PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

Chettur Sankaranair
CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN