

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.180/11

Monday this the 7th day of March 2011

C O R A M :

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

Kumari Thara Bai Thankachi,
W/o.K.Krishnakumar,
District Informatics Officer (SSA),
National Informatics Centre, District Centre,
Thiruvananthapuram, Kerala.
Residing at T.C.11/2494, Krishna Vihar,
Nalanchira, Thiruvananthapuram – 15.

...Applicant

(By Advocate Ms.A.K.Preetha)

V e r s u s

1. Union of India represented by Secretary,
Ministry of Communications and Information Technology,
Department of Information Technology,
National Informatics Centre, New Delhi.
2. The Director General,
Ministry of Communications and Information Technology,
Department of Information Technology,
National Informatics Centre, New Delhi.
3. Deputy Director (Personnel),
Ministry of Communications and Information Technology,
Department of Information Technology,
National Informatics Centre, New Delhi. ...Respondents

(By Advocate Mr.Sunil Jacob Jose,SCGSC)

This application having been heard on 7th March 2011 this Tribunal on the same day delivered the following :-

ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

This is the second round of litigation by the Applicant. In the first round, she has claimed for promotion as Scientist 'D' from the due date ie. from 2002 onwards. The said OA was disposed of by this Tribunal vide



.2.

Annexure A-5 Order dated 7.4.2010 in OA 620/08 with a direction to the respondents to communicate her overall gradings in the ACRs along with adverse remarks, if they are below the bench mark and also to grant her opportunity to make a representation.

2. The respondents vide the impugned Annexure A-6 Office Memorandum dated 26.5.2010, communicated the adverse remarks recorded in the ACRs for the period from 1998 to 2009. In response to the said impugned order, the applicant made the detailed Annexure A-7 representation dated 23.6.2010 requesting the respondents to expunge those adverse remarks. According to the counsel for the applicant, the respondents have not so far considered the said representation even though the applicant was promoted to the grade of Scientist 'D' subsequently. According to the counsel, if the respondents have considered her aforesaid representation and expunged the adverse remarks she would have been considered for promotion to the aforesaid post of Scientist 'D' from the due date of promotion itself.

3. The applicant has, therefore, submitted that she is limiting her prayer in this OA only to the extent of issuing a direction to the 2nd respondent to consider the Annexure A-7 representation within a time frame. Counsel for the respondents submitted that he has no objection in giving such a direction to the respondents.

4. In view of the above facts and circumstances of the case, I direct that the 2nd respondent, namely, the Director General, Ministry of Communications and Information Technology, Department of Information



.3.

Technology, National Informatics Centre, New Delhi, shall consider the applicant's Annexure A-7 representation dated 23.6.2010 and communicate its decision to her within a period of three months from the date of receipt of a copy of this order. A copy of this order shall also be communicated by the Registry directly to the 2nd respondent for the compliance of the order. The OA is accordingly disposed of. There shall be no order as to costs.

(Dated this the 7th day of March 2011)


GEORGE PARACKEN
JUDICIAL MEMBER

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