

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.202 of 1995

Thursday, this the 6th day of June, 1996

CORAM

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

N.T. Prabhakaran,
Administrative Officer (Retd.)
Indian Institute of Horticultural Research,
Bangalore -89.
(Residing at Prabha Nikethan, South Aryad,
Avalukunnu Post, Alappuzha -6). Applicant

By Advocate Mr P.K. Madhusoodhanan.

Vs.

1. The Secretary,
Indian Council of Agricultural Research,
Krishi Bhavan, New Delhi.
2. The Director General,
Indian Council of Agricultural Research,
Krishi Bhavan, New Delhi- 1.
3. The Chief Secretary,
Government of Kerala Secretariat,
Thiruvananthapuram.
4. The Registrar of Co-operative Societies,
Thiruvananthapuram.
5. The Director,
Indian Institute of Horticultural Research,
Bangalore -89. Respondents

By Advocate Mr P. Jacob Varghese, for R 1, 2 & 5.

The application having been heard on 6th June 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

Applicant who was working as Assistant Administrative Officer under the Indian Council of Agricultural Research, took voluntary retirement on 30.4.93. According to him, he should have been promoted as Administrative Officer and Senior Administrative Officer (at once) from 20.8.87. He would also seek a direction to reckon the service

rendered by him under the State Government for 14 years as eligible service for pension. He states that a judgment of the High Court of Kerala supports his claim, but he has not taken us into confidence regarding the details of the judgment, nor are we in a position to glean the same as the judgment is not before us.

2. Vague pleadings of applicant are met with matchingly vague replies. As for non consideration for the years 1988, 1989 and 1990 respondents say (para 6 of the reply statement):

" During that period vacancies in the grade of Administrative Officers meant for direct recruitment quota were filled by holding competitive examinations."

Respondents speak of direct recruitment quota when the allegations relate to another quota namely promotion quota. As for promotion quota they say (para 7):

"There is no DPC/Selection Committee meeting during 1988, 1989 and 1990."

We are not told why there was no promotion committee. It could be that there were no vacancies, it could be that the committee did not meet, and there could be alternate reasons as well. We cannot be left in a guessing game.

3. The basis of the claim for pension is not clearly disclosed, nor is the judgment upon which the claim is sought to be rested, placed before us. Largely the basis of the case of applicant is A-13 representation which contains more emotions than reasons. In this unsatisfactory state of pleadings, a proper adjudication cannot be made.

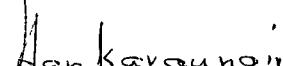
4. Applicant, if so advised, may make a representation before the competent authority setting out the full facts of his case, the reasons/ rules upon which he claims relief referring to earlier representations, if any, made by him. If such a representation is made respondents shall pass a reasoned order thereon supported by facts and reasons. We issue this direction as there is no other direction that can be issued in the nebulous state of pleadings. We make it clear that this direction will not by itself confer a cause of action.

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

Dated the 6th June, 1996.


P V VENKATAKRISHNAN

ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)

VICE CHAIRMAN

List of Annexure

1. Annexure A 13: True copy of the representation dated 11/5/94 submitted by the applicant before the Ist respondent.