

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.338/2001.

Wednesday this the 20th day of June 2001.

CORAM:

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

Raju Narayanaswamy, IAS,
State Co-ordinator;
Quality Improvement Programme for Schools,
SCERT Building, Poojappura,
Trivandrum. Applicant

(By Advocate Shri TR Ramachandran Nair)

Vs.

1. State of Kerala, represented by
Chief Secretary to Government,
Secretariat, Trivandrum.
2. Union of India, represented by
the Secretary, Department of
Personnel & Training,
New Delhi. Respondents

(By Advocate Shri C.A.Joy, G.P.(R-1)
(By Advocate Mrs. S.Chitra, ACGSC(R-2)

The application having been heard on 20th June 2001
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

The applicant, a member of the Kerala Cadre of IAS has
filed this application for a declaration that he is entitled to
be granted promotion to the Junior Administrative Grade with
effect from 1.1.2000 (within the due date) and that the pretext
of "absence of the ACRS of the applicant" pertaining to the
periods mentioned in A-2 and any other ACRS till the date will
in no way affect the promotion/screening/central
deputation/increment/grade/other service benefits of the

applicant and for a direction to the first respondent to confer Junior Administrtrive Grade to the applicant w.e.f.1.1.2000 with all consequential benefits with interest at the rate of 18% per annum.

2. It is alleged in the application that the applicant was not granted Junior Administrative Grade on the pretext that his ACRs for certain period have been found missing while the applicant has been submitting his Appraisal Form of ACRs promptly at the relevant time.

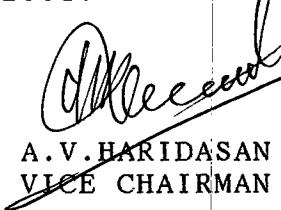
3. A statement has been filed on behalf of the first respondent in which it was stated that the ACRs on the applicant for a long period were found missing. We had on 7.6.2001 directed that an affidavit of the competent authority should be filed indicating whether they had intimated the applicant prior to the issue of A-2 order of non-receipt of self appraisal/assessment by him for the purpose of initiating the ACRs for various periods and as to whether any action had been taken by the respondent against the same reporting officer for failure. The affidavit as directed on 7.6.2001 has not been filed till date. Learned counsel appearing for the respondent stated that, as there is a bereavement in the family of the concerned officer, the said affidavit could not be filed. However, learned counsel stated that the case of the applicant for placement in the Junior Administrative Grade with effect from the due date shall be considered, either by tracing out the missing ACRs or

re-constructing them within a period of two months and that the application may be disposed of with appropriate direction to the respondents in that regard. Learned counsel for the applicant states that, the applicant would be satisfied, if such a direction is given to the respondents.

4. In the result, in the light of the submissions made by the counsel on either side, the application is disposed of directing the first respondent that the case of the applicant for placement in Junior Administrative Grade with effect from the due date shall be considered and orders in that regard be issued with all consequential benefits, within a period of two months from today either reconstructing the missing ACRs or recovering them. No costs.

Dated the 20th June 2001.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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A-2: True copy of the letter No.141/SC/99/GA(SC) dated 9.12.1999 from the Chief Secretary, Government of Kerala to the applicant.