

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 3 MAR 1989

APPLICATION NO (S) 163 /89(F)

W.P. NO (S)

Applicant (s)

Respondent (s)

Shri V. Baskaran

V/s The Development Commissioner for Handicrafts,
M/o Textiles, New Delhi & another

Shri V. Baskaran
Handicrafts Promotion Officer
Marketing & Service Extension Centre
Office of the Development Commissioner
(Handicrafts)
Rath Commercial Complex
Kodroli Bridge, Kodroli
Bangalore - 575 003

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/~~STAY~~/INDEFINITE ORDER
passed by this Tribunal in the above said application(s) on 27-2-89.

DEPUTY REGISTRAR
(JUDICIAL)

Encl : As above

o/c

signed
K.M.M.
3-3-89

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE TWENTY SEVENTH DAY OF FEBRUARY 1989

Present: Hon'ble Shri Justice K.S.PUTTASWAMY .. VICE CHAIRMAN

Hon'ble Shri L.H.A.REGO .. MEMBER(A)

APPLICATION NO.163/89(F)

V.Baskaran,
Handicrafts Promotion
Officer, Office of the
DC(Handicrafts),
Marketing and Service
Extension Centre,
Barath Commercial Complex,
Alake Bridge, Mangalore 575 003.

.. Applicant

vs.

Development Commissioner for
Handicrafts, West Block 7,
R.K.Puram,
New Delhi 110 066.

Assistant Director Marketing
and Service Extension Centre,
Barath Commercial Complex,
Alake Bridge,
Mangalore 575 003.

.. Respondent.

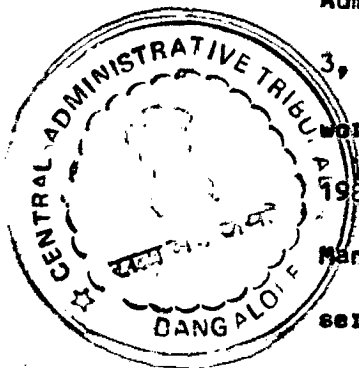
This application has come up today before this
Tribunal for Orders. Hon'ble Vice Chairman made the following:

ORDER

Case called. Shri V.Baskaran applicant in person.

2. This is an application under Section 19 of the
Administrative Tribunals Act, 1985.(Act)

3. Shri V.Baskaran, the applicant before us, was
working as Handicrafts Promotion Officer (HPO) in the year
1987 in the Office of the Development Commissioner, Handicrafts,
Mangalore. In conformity with rules and orders regulating his
service, ~~the same~~ the Reporting Officer(RO) of that Office
recorded the Annual Confidential Report (ACR) of the applicant



for the said year making certain adverse entries against him. On their communication, the applicant made a representation to the Development Commissioner, Handicrafts, New Delhi (Commissioner) who by his Order dated 18.1./6.2.1989 (Annexure A.7) directed deduction of the adverse entry made against him only at column No.18, concurring with the other remarks made by the RO. Aggrieved by the adverse entries which still stand against him, the applicant has made this application.

4. Shri Baskaran contends that every one of the adverse entries made against him by the RO and upheld by the Commissioner was wholly unjustified and call for our interference under the Act.

5. On noticing the performance of the applicant, the RO had made the entries in his ACR which he was entitled to do. On the representations made, the Commissioner as the Head of the Department had carefully examined the same and had then made his orders on the same.

6. While we have no doubt as regards our jurisdiction to interfere with the entries made in an ACR, we are not oblivious of the fact, that we cannot act as a Court of appeal and that Senior Officers of the Department who make the entries in the ACR are the best judges of the performance of the ^{Officers} others ^{KC} in respect of whom the entries are made, as they have an occasion to oversee their work periodically in the course of the year of assessment. Bearing these salutary principles in mind, we hardly find any ground to interfere with the adverse entries

made against the applicant in his pertinent ACR and to delete the same.

7. On the foregoing discussion we hold that this application is liable to be rejected. We, therefore, reject this application at the admission stage without notice to the respondents.



Sd/-

VICE CHAIRMAN

27/7/1989

Sd/-

MEMBER(A)

TRUE COPY

[Signature]
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE