

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

CAMP NAGPUR.

ORIGINAL APPLICATION NO.1175/92 & 1225/95

DATED THE 8TH DAY OF AUGUST, 1996.

CORAM : Hon'ble Shri B.S.Hegde, Member (J).

Hon'ble Shri P.P.Srivastava, Member (A).

R.Ramachandran  
Junior Documentation Officer,  
Patent Information System,  
Nagpur - 5. ... Applicant.

v/s.

1. The Union of India,  
Through the Secretary to the  
Government of India,  
Ministry of Industry,  
Department of Industrial Development,  
Udyog Bhavan,  
NEW DELHI - 110 011.
2. The Secretary to the Union  
Public Service Commission,  
Dholpur House, Shahjahan Road,  
NEW DELHI - 110 011.
3. The Controller General of Patents,  
Designs and Trade Marks,  
(Shri R.A.Acharya),  
Central Building,  
101, Maharshi Karve Road,  
Bombay - 400 020.
4. Dr.P.P.Paranjpe,  
Dy. Chief Executive Officer,  
Officer-in-charge, Patent Information,  
System, Government of India,  
Ministry of Industry,  
Department of Industrial Development,  
"C" Block, 3rd Floor,  
Central Government Offices Complex,  
Seminary Hills, Nagpur - 440 006. ... Respondents.

(Applicant and Respondents same in both the OAs)

Respondents by Advocate Shri M.G.Bhangade.

¶ ORDER ¶ + ¶ ORAL ¶

¶. Per Shri B.S.Hegde, Member (J) ¶

In this OA, the applicant is challenging both the  
DPC proceedings, one dated 27/6/92 and another dated 28/9/83.

The facts are that the applicant was appointed as a  
Junior Documentation Officer from 5/8/86 For the  
purpose of promotion to the post of Senior Documentation  
Officer, he is required to put in 5 years service and he is  
eligible for the same only in 1991. He was considered by the

*By*

DPC but the applicant was found unfit. Again he was considered in the subsequent DPC in 1993 along with his juniors, since his ACRs are not up to mark, he could not be promoted.

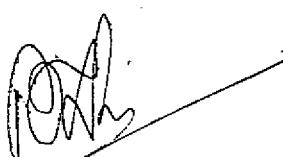
Senior Documentation Officer is a selection post and is not by seniority alone. In the result, we have perused the DPC records of 1992 and 1993.

On perusal of the DPC records and ACRs, the applicant was found unfit for promotion. We do not find any deficiency in the DPC records.

The contention of the applicant is that the respondents had issued no memo on adverse remarks. However, the DPC has looked into the ACRs of the applicant.

In the circumstances, we do not find any merit in the grievance of the applicant.

The applicant has also filed another OA-1225/95 before a Single Bench, praying for similar relief. In view of the dismissal of the OA-1175/92, this OA also stands disposed of. Both OA-1175/92 and 1225/95 are dismissed as devoid of merit. No orders as to cost.

  
(P.P.SRIWASTAVA)  
MEMBER(A)

  
(B.S.HEGDE)  
MEMBER(J)

abp.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.

REVIEW PETITION NO. (N) 13/96 IN  
ORIGINAL APPLICATION NOS. 1175 of 92  
AND O.A. No. 1225/95.

Coram: Hon'ble Shri B.S.Hegde, Member (J),  
Hon'ble Shri P.P.Srivastava, Member (A).

R.Ramachandran,  
Junior Documentation Officer,  
Patent Information System,  
Nagpur - 5.

V/s.

The Union of India & Ors.

ORDER ON REVIEW PETITION BY CIRCULATION.

(Per Shri B.S.Hegde, Member (J))

Dt. 11/10/1996.

The applicant has filed this Review Petition seeking review of the order passed in O.A. Nos. 1175/92 & 1225/95 on 13.8.1996. The applicant in this Review Petition while seeking review of the order has urged that the DPC convened by the Department is not in order and the action taken by the Respondent i.e. Dr. P.P. Paranjpe is mala fide and requires re-consideration. However, on a perusal of the Review Petition we find that the applicant has not made out any new grounds for our re-consideration. As a matter of fact, the O.A. was disposed of on merits. The applicant has not fulfilled the required condition for the post of Senior Documentation Officer, though he was considered by the DPC twice, he was found unfit and on a perusal of the ACR and DPC records we came to the conclusion that there was no merit in the O.A. and accordingly the O.A. was disposed of. In the result, we do not find any substance in the R.P. and the same is dismissed.

(P.P.SRIVASTAVA)  
MEMBER (A)

  
(B.S. HEGDE)  
MEMBER (J).