

8

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. NO. 77

of 1997

25.8.1999
DATE OF DECISION.....

Shri L.M. Momin

(PETITIONER(S))

Mr S. Sarma

ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

The Union of India and others

RESPONDENT(S)

Mr B.C. Pathak, Addl. C.G.S.C.

ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN

THE HON'BLE MR G.L. SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI-BENCH

Original Application No.77 of 1997

Date of decision: This the 25th day of August 1999

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri L.M. Momin,
Audience Research Officer,
All India Radio,
Kohima, Nagaland.

.....Applicant

By Advocate Mr S. Sarma.

- versus -

1. The Union of India, represented by the
Secretary,
Ministry of Information & Broadcasting,
New Delhi.

2. The Director General,
All India Radio,
New Delhi.

3. The Station Director,
All India Radio, Shillong.

4. Shri S.K. Khatri,
Director, Audience Research,
Directorate General, All India Radio,
PTI Building, 2nd Floor,
New Delhi.

5. Shri K.D. Saha,
Deputy Director, Audience Research,
East Zone, All India Radio,
Calcutta.

6. The Director, Audience Research,
Directorate General, All India Radio,
PTI Building, 2nd Floor,
New Delhi.

.....Respondents

By Advocate Mr B.C. Pathak, Addl. C.G.S.C.

.....
O R D E R

BARUAH.J. (V.C.)

In this original application the applicant has
challenged the adverse remarks entered into his Annual
Confidential Report (ACR for short) for the period from

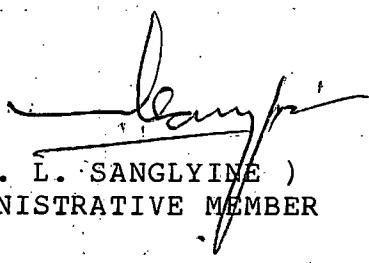


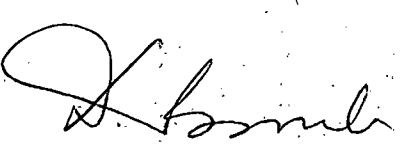
1.4.1994 to 31.3.1995 and 17.4.1995 to 31.3.1996. The grievance of the applicant is that those adverse remarks were entered into the ACR illegally and arbitrarily. The applicant submitted Annexure C representation dated 26.7.1994. The said representation was rejected by the authority. Thereafter, the applicant filed Annexure K representation dated 21.11.1996. However, the said representation has not yet been disposed of. Hence the present application.

2. Heard Mr S. Sarma, learned counsel for the applicant and Mr B.C. Pathak, learned Addl. C.G.S.C. Mr Sarma submits that the adverse remarks were not properly entered and the first representation was disposed of without considering the grievances of the applicant. Mr Sarma further submits that the Annexure K representation has not yet been disposed of. Mr Pathak, on the other hand, submits that the Annexure K representation dated 21.11.1996 was never received by the authority.

3. Considering the submissions of the learned counsel for the parties, we feel that the matter may be reconsidered by the authority. The applicant may file a fresh representation giving details of his grievance and claim within a month from the date of receipt of this order and, if such representation is filed, the respondents shall consider and dispose of the same by passing a reasoned order.

4. The application is accordingly disposed of. No order as to costs.


(G. L. SANGLYINE)
ADMINISTRATIVE MEMBER


(D. N. BARUAH)
VICE-CHAIRMAN