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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 386

OF 1992001

Applicant(s)

S. K. Okeri

Respondent(s)

U.O.I & others

Advocate for Applicant(s)

X

Advocate for Respondent(s)

CCSC

Notes of the Registry	Date	Order of the Tribunal
<p>Application is in form but not in the Coordination Petition as required vide M. P. I. A. X C. F. for S. K. Okeri vide IPO/BD no 29385684</p> <p>Dated.....18/9/2001</p> <p><i>[Signature]</i> Dy. Registrar</p>	25.9.01	<p>None is present for the applicant. List on 3/10/01 for admission.</p> <p><i>[Signature]</i> Member</p>
<p>1) Notice not yet served. 2) The application is made in their favour.</p> <p>NS 24/9/01</p> <p>Order dtd 25/9/01. Comm - Cated. to S.K. Okeri. P. Execution, Dorendashan Kendran. J. Nagar. by Regd AID. 3676 dtd. 27/9/01.</p> <p><i>[Signature]</i></p>	3.10.01	<p>Present : Hon'ble Mr. D.N. Chowdhury, Vice-Chairman.</p> <p>The applicant, in this application, has assailed the legitimacy of the action of the respondents in allotment of the quarter. The applicant, in this proceeding has contended that the respondents are not adhering to the principles of fair allotment of quarter on the basis of accepted norms, mainly, seniority, basic pay etc.</p> <p>I have heard Mr. B.C. Pathak, learned Addl. C.G.S.C for the respondents. Mr. Path</p>

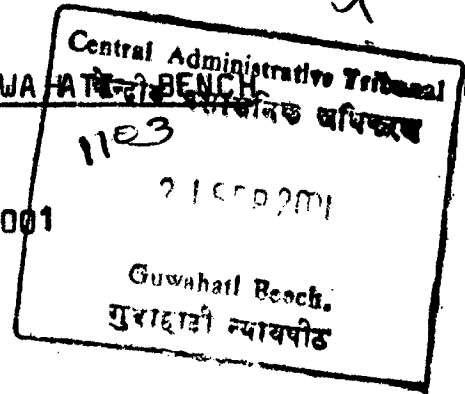
Contd..

Notes of the Registry	Date	Order of the Tribunal
<p>Pl. comply order Ctd 3.10.2001.</p> <p>NS 5/10/2001</p> <p>12.10.2001</p> <p>Copy of the order has been sent to the Dy Sec for issuing the same to the applicant as well as to the Add. C.S.P.C. for the Registry</p> <p>bb</p>	<p>3.10.01</p>	<p>contd..</p> <p>has submitted that there are set of guide- lines in allotment of the quarter so that allotments are made justly and fairly.</p> <p>There is no dispute that in the matter of allotment of quarter the authorities are required to act in a just and fair manner by assiduously adhering to the gui- lines. The matter may be taken care of by the respondent Director, Doordarshan itself.</p> <p>In these circumstances, the applicant is directed to submit a representation before the Director, Doordarshan within two weeks from the receipt of the order of this Tribunal narrating all the his grie- vances. If such representation is made by the applicant, the respondents shall take care of the situation ^{for allaying the grievances} and pass a reasoned order within two months from the date of receipt of the representation as per law. If the applicant is still aggrieved, he may approach this Tribunal for redressal of his grievances.</p> <p>Subject to the observations made above, the application is disposed of. There shall, however be no order as to costs.</p> <p>Vice-Chairman</p>

Court Copy I

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI BENCH
GUWAHATI

O.A. NO. 386 / 2001



IN THE MATTER OF
S.K. OBEROI
PROGRAMME EXECUTIVE
DOORDARSHAN
ITANAGAR

APPLICANT

V/S

DIRECTOR,
DOORDARSHAN,
ITANAGAR,
ARUNACHAL PRADESH

RESPONDENT

SL. NO.

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1.

APPLICATION U/S 19 OF
THE AT ACT 1985

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ANNEXURE - A-1

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To be decided
on merits in
absentia

S. K. Oberoi
19/9/01
Programme Executive
DOORDARSHAN KENDRA
ITANAGAR

S. K. Oberoi
APPLICANT
DOUBLE M.A., LLB 19/9/01

SO(T)
20/9/01

M. D. Datta
2/10/01
21/9/2001

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI BENCH
::::::GUWAHATI::::::

O.A. No.....386.....|2001

BETWEEN :

SHRI S.K. OBEROI

APPLICANT

VERSUS

DIRECTOR,
DOORDARSHAN,
ITANAGAR,
ARUNACHAL PRADESH

RESPONDENT

S. K. Oberoi
Programme Executive
DOORDARSHAN KENDRA
ITANAGAR

19/9/01

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DETAILS OF APPLICATION UNDER SEC. 19 OF ADMINISTRATIVE
TRIBUNAL ACT : 1985

1. PARTICULARS OF THE ORDERS AGAINST WHICH THE
APPLICATION IS MADE :

That the application is against the
Arbitrary, illegal and discriminatory action of the
respondent against the Quarter allotment made to the
applicant vide their order No. DDK/ITA/35(4)/2001-G
dated 5th Sept*2001.

ANNEXURE-A-I

2. Jurisdiction of the Tribunal :

The applicant declares that the subject
matter of the order against which he wants redressal
is within the jurisdiction of the Tribunal.

3. Limitation :

The applicant further declares that the
application is within the limitation period prescribed
in Section 21 of the Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE :

The facts of the case are given as under :

That the applicant joined Doordarshan, Itanagar
as Programme Executive on transfer from Delhi, Doordarshan
on 4/9/2001.

4.1) That, Seniority & Basic Pay of the official
determines the type of Quarter allotted to him.

4.2) That, the applicant has been allotted a type-II
quarter while entitled for type-IV special as the basic
pay of the applicant is Rs.10,500/-

4.3) That, Sh. Kamendra Sarbhai who is working
as ASE at DDK, Itanagar who is drawing basic pay of
Rs.9,950/- which is less than the applicant, has been
allotted type-IV accommodation at Doordarshan Colony,
while the applicant has been ignored while drawing
higher basic pay, which is the criteria of allotment
Govt. quarter.

4.4) That in the circumstances, the applicant

The
Signature
Programme Executive
DOORDARSHAN KENDRA
ITANAGAR
19/9/01

has no other choice left but approach the Hon'ble Tribunal.

5. GROUND FOR RELIEF :

A) Because as Sh. Kamendra Sarbhai has been allotted type-IV quarter in the colony though drawing less than the applicant, who has only been allotted type-II accomodation.

B) Because as per the Rule :
Eligibility : As per basic pay
Priority date : The date from which the Govt. servant is continuously in service.

C) Because the colourable exercise of power, discrimination is well established.

6. DETAILS OF THE REMEDIES EXHAUSTED :

That applicant declares that he has availed of all the remedies available to him under the relevant service rules i.e. applied on the prescribed application form for type-IV Special quarter, though allotted only type-II.

7. Matters not previously filed or pending before any court of Law :

The applicant further declares that he has not previously filed or pending before any court of Law.

8. RELIEF SOUGHT :

In view of the facts mentioned in para 4 & 5 above, the applicant prays for the following relief :

i) That the application may be admitted with cost.

ii) The respondent be directed to allot me atleast type-IV accomodation which is available in Doordarshan Colony

Sarubhai

DOOR DASHAN COLONY
STATE, INDIA

19/9/01

iii) That the Hon^{ble} Tribunal may issue such other appropriate order or orders directions or direction as deemed fit and proper by this Hon^{ble} Tribunal to need the ends of justice.

9. Interim relief if any prayed for : NIL
10. Date of Hearing by post : Case may be decided on merits in absentia.
11. Particulars of the postal order in respect of the application fee :

A postal Order No. 7G 385684 dated 18.9.2001 of Rs.50/- issued from the Itanagar Post Office is annexed hereto.

12. List of Enclosures : As per Index.
- Place : Itanagar.
- Dated : 19/9/01

Shubrai
Applicant, 19/9/01
Double M.A., LLB.

Shubrai
19/9/01
COORDINATOR
ITANAGAR

VERIFICATION

I, Surinder Kumar Oberoi, S/O Shri J.L. Oberoi, R/O C-II/7, Doordarshan Colony, Itanagar aged around 49 years, working as Programme Executive in the Doordarshan Kendra, Itanagar, do hereby verify the Contents of the para 1 to 4, 6, 7, 8 to 12 to be true and correct to my persoul knowledge and para 5 true based on the legal advice and that I have not suppressed only material fact.

DATED :...19/9/01...

SK Oberoi
APPLICANT,
DOUBLE M.A., LLB.

SK Oberoi
Programme Executive
DOORDARSHAN KENDRA
ITANAGAR
19/9/01

A-1

PRASAR BHARATI
BROADCASTING CORPORATION OF INDIA
DOORDARSHAN KENDRA::ITANAGAR

NO.DDK|ITA|35(4)|2001-G|2747

DATED, ITANAGAR
THE 5TH SEPT. 2001.

O R D E R

With immediate effect the following staff member(s) have been allotted DDK, Staff quarter as shown against the name.

SL.NO.	NAME AND DESIGNATION	QUARTER ALLOTTED
1.	Th.Shyamsunder Singh, A.O.	C-VII 1
2.	Sri S.K. Oberoi, PEX	C-II 7
3.	Sri R.A. Choudhury, SEA	C-VI 3
4.	Sri Indrajeet, Sr. Tech.	C-IV 8

The allottees should occupy the quarter immediately and submit occupation report to the office within 7(Seven) days of receipt of this office order.

The allottee should maintain the quarters and the premises in a clean and tidy condition to the satisfaction of the Controlling Authority and shall clear the electricity and water charges etc. from time to time.

Sd/-

(TH. SHYAMSUNDAR SINGH),
ADMINISTRATIVE OFFICER,
FOR DIRECTOR.

Copy to :-

1. The above officials.
2. Accounts Section : Bill clerk(in duplicate).

True copy

Sd/ Oberoi

Programme Executive
DOORDARSHAN KENDRA
ITANAGAR

18/9/01

FOR DIRECTOR.

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