

**Central Administrative Tribunal
Principal Bench, New Delhi.**

OA-2747/2014

Reserved on : 13.09.2017.

Pronounced on : 22.09.2017.

**Hon'ble Mr. Shekhar Agarwal, Member (A)
Hon'ble Mr. Raj Vir Sharma, Member (J)**

1. Dr. Parveen Arora, aged 49 years
Scientist-G
s/o late Mr. K K Arora
r/o O-41, Nivedita Kunj
Sector 10, R K Puram
New Delhi-22

Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delhi-16

2. Chander Mohan, aged 56 years
Scientist-G
s/o Mr. Hari Krishan
r/o G-47, HUDCO Place Extn.
New Delhi-49

Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delhi-16

3. Dr. K R Murali Mohan, aged 51 years
Scientist-G
s/o late Mr. K V Ramachandran
r/o D-II, Vinay Margh, Chanakya Puri
New Delhi

Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delhi-16

4. Shyam Sunder Kohli, aged 52 years
Scientist-G
s/o Wg. Cdr. J R Kohli (Retd.)
r/o 202/7, Pushp Vihar
Sector I, M B Road
New Delhi-17

Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delhi-16

5. Dr. Bhoop Singh, aged 55 years
Scientist-G
s/o Late Ram Chander Singh
r/o E Pocket, 25 B
Dilshad Garden
New Delhi-95

Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delhi-16

6. Dr. Rambir Singh, aged 56 years
Scientist-G
s/o late Bhanwar Singh
r/o C Block, H NO 49 and 50
Hargobind Enclave
Rajpur Khurd
Chattarpur -68

Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road

New Delhi-16

7. Dr. M K Patairiya, aged 52 years
Scientist-G
s/o Mr. Prem Narayan Patairiya
r/o 25/3, Sector 1
Pushp Vihar
New Delhi 17

Posted at
Department of Science and Technology
Technology Bhavan
New Mehrauli Road
New Delhi-16.

..... Applicants

(through Sh. R.K. Kapoor, Advocate)

Versus

1. Union of India through the Secretary
Department of Science and Technology
Ministry of Science & Technology
Technology Bhawan
New Mehrauli Road
New Delhi-16.

2. The Secretary, Ministry of Personnel
Public Grievances & Pensions
(Department of Personnel & Training)
Govt. of India, New Delhi.

.... Respondents

(through Sh. R.V. Sinha, Advocate)

ORDER

Mr. Shekhar Agarwal, Member (A)

The applicants are Scientists working in the Department of Science and Technology. They were promoted from Grade-'F' to Grade-'G' on different dates between 11.10.2012 and 24.01.2014.

They are seeking promotion from the date of eligibility instead of the date from which it has been granted. The following chart can be seen in this regard:-

SR. NO.	NAME	GRADE (Scientist)	PROMOTION GRANTED	PROMOTION CLAIMED FROM DATE OF ELIGIBILITY
1.	Dr. Parveen Arora	'F' to 'G'	11-10-2012	01-01-2008
2.	Chander Mohan	'F' to 'G'	11-10-2012	01-01-2008
3.	Dr. K.R. Murali Mohan	'F' to 'G'	02-01-2014	01-01-2009
4.	Shyam Sunder Kohli	'F' to 'G'	24-01-2014	01-07-2011
5.	Dr. Bhoop Singh	'F' to 'G'	22-10-2012	01-07-2008
6.	Dr. Rambir Singh	'F' to 'G'	02-01-2014	01-07-2009
7.	Dr. M.K. Patairiya	'F' to 'G'	02-01-2014	01-01-2008

2. This O.A. had earlier been allowed by our judgment dated 27.03.2015. However, on review application filed by the respondents, it was restored for fresh hearing.
3. The facts of the case are that all the applicants working in Grade-'F' with the respondents were considered for promotion to Grade-'G' under the Flexible Complementing Scheme (FCS). They were found fit and were promoted from the dates indicated against their names in the chart above. According to the applicants, the

respondents have erred by granting them promotions from the dates indicated above instead of granting the same from the dates on which they completed the residency period in Group-'F' and had become eligible for promotion to the next grade provided they had been found fit for such promotion as per the prescribed norms. They have contended that some persons working as Scientist-'D' in Botanical Survey of India and having similar grievance had filed OA-826/2003 titled Dr. S.K. Murti & Ors. Vs. UOI & Ors. before the Central Administrative Tribunal. The aforesaid O.A. was dismissed by the Tribunal vide order dated 03.12.2003. The judgment of the Tribunal was challenged by some of the OA applicants before Hon'ble High Court of Delhi by filing Writ Petition (Civil) No. 14263/2004. This was allowed by Hon'ble High Court vide order dated 05.10.2010. Hon'ble High Court had found that the authorities had not constituted the Assessment Board/Selection Committees in time. This led to delay in getting approval of the competent authority for grant of such promotion to the applicants. Holding that the applicants could not be faulted for the same, Hon'ble High Court directed the respondents therein to grant promotion to the petitioners from the date of eligibility. Hon'ble High Court had also observed that the respondents cannot take advantage of their own wrong and that no justification had also been offered by respondents' authorities to explain the delay in constitution of Assessment Board/Selection

Committees in time. The respondents then filed SLP (C)No. 13133 of 2011 before the Apex Court challenging the decision of Hon'ble High Court of Delhi. The Apex Court after hearing the authorities dismissed this SLP after agreeing with the reasoning given by Hon'ble High Court. The Apex Court further observed that benefit of the order be given to all similarly situated persons irrespective of the fact whether they had approached the Hon'ble High Court or not.

4. The applicants have further pleaded that following these judgments, Principal Bench of the Tribunal had granted similar relief in OA-4098/2011 decided on 22.05.2012. This order has been implemented by the respondents in that case i.e. Ministry of Environment and Forests, Government of India. Again in a similar case, same relief was granted by the Principal Bench of the Tribunal in OA-1111/2012 (Vinay Kumar Vs. UOI) decided on 27.09.2013. This order has also been followed in OA-1809/2013 (Iqbal Hasan and Ors. Vs. UOI & Ors.) decided on 21.02.2014.

5. In view of the aforesaid judgments, the applicants herein also gave representations to the respondents on 19.05.2014 praying for grant of promotion from the date of eligibility. Their representation was, however, turned down by the respondents on 09.06.2014. Meanwhile, in a similar case in OA-2276/2013 (Dr. Rajesh Kapur & Anr. Vs. UOI & Ors.) this Tribunal again granted the same relief vide

order dated 17.07.2014. Hence, the applicants have filed this O.A. seeking the following relief:-

“(a) direct the respondents to consider and grant the benefit of FCS to the Applicants, with all consequential benefits including arrears, along with consequential benefits and arrears in the subsequent grades as well, and to suitably modify the dates of in situ promotions by antedating the same from the dates when the eligibility period was completed by the respective Applicants in the respective grades as per the details of the Applicants regarding their dates of eligibility to the various Grades, actual date of in situ promotion to the said Grade and the dates w.e.f. which, it should have been granted, as mentioned in the CHART annexed as Annexure A-^ with the OA;

(b) direct the respondents to consider and grant the benefit of FCS to the Applicants, with all consequential benefits, including monetary benefits, in the subsequent grades as well, and to suitably modify the dates of in situ promotions by antedating the same from the dates when the eligibility period was completed by the respective Applicants in the light of the orders of Hon'ble Supreme Court dated 02.05.2011 as passed in S.L.P. (Civil)-6864/2011 titled as U.O.I vs S.K. Murti in view of the provisions of Articles 141 and 144 of the Constitution of India, and the clarification given by the Ministry of Law;

(c) direct the respondents to maintain uniformity in application of minimum residency period in all the grades;

(d) to direct the respondents to compensate the applicants for the financial loss, loss of reputation, frustration, mental agony for depriving them in an arbitrary manner the benefits to which they were entitled to in accordance with the applicable guidelines/memorandum as interpreted by the Hon'ble Supreme Court which is binding on the respondents.

(d) any other relief/order which this Hon'ble Tribunal deems fit and proper in the facts and circumstance of the case may also be passed in favour of the applicants and against the respondents,

(e) award costs of the proceedings.”

6. In their reply, the respondents have submitted that as per Department of Science and Technology Group 'A' Gazetted posts (Non-Ministerial, Scientific & Technical) Rules, 2004 notified on 02.11.2004 in-situ promotion under the FCS can be granted to the Scientists of the department. The Rules also provide the minimum

residency period for grant of such promotion as well as performance parameters required to be attained. Thus, for promotion from Scientist-'F' to Scientist-'G' the minimum residency period provided for is five years. Further, it has been provided that exceptional meritorious candidates with all 'outstanding' gradings can be considered for relaxation in the residency period by not more than one year on one occasion and limited to maximum of two occasions in the entire career.

6.1 Further, it has been stated by the respondents that besides the minimum residency period, Rule-6(1)(c) provides that only persons with proven merit and record of research shall be considered for promotion under this Scheme. Norms for evaluation of Scientific and Technical knowledge shall be rigorous so that only Scientists who have to their credit demonstrable achievements or higher level of technical merit only shall be considered for such promotion. The Rules further provide that review for such promotion will be done by the Screening Committee constituted for this purpose twice a year i.e. 1st January and 1st July of every year. Further, it is provided that if the competent authority on consideration of recommendations of the Screening Committee decides that a candidate does not qualify for promotion, his case shall next be considered only after one year. Further, Rule-6(7)(b) provides as follows:-

"The effective date of promotion of those found eligible shall be date as fixed by the competent Authority (Assessment Board/Selection Board/Appointing Authority/ACC) and no promotion with retrospective effect shall be admissible in any case."

6.2 The respondents have also submitted that the recommendations of the Screening Committee/Assessment Board are submitted to the Minister- in-charge for Science and Technology upto the level of Scientists-'F' and to the Appointments Committee of Cabinet for Scientist-'G'. Thus, it is clear that in the instant case, the appointing authority is the Appointments Committee of the Cabinet.

6.3 As regards the date of promotion, the respondents have submitted that DoP&T O.M. No. 14017/32/2002-Estt.(RR) dated 17.07.2002 provides that promotions are made effective from a prospective date after the competent authority had approved the same. This is a general principle and is applicable in case of in-situ promotion under FCS as well. In the instant case, the appointments to posts of Scientist-'G' require approval of ACC and can be made effective from the date of approval of ACC or actual promotion, whichever is later.

6.4 Regarding the case of the applicants, the respondents have stated that as far as Dr. Praveen Arora and Sh. Chander Mohan are concerned their cases were considered for promotion w.e.f. 01.01.2008. They were interviewed and recommended fit for

promotion by the Assessment Board. Their cases were then submitted by DoP&T for obtaining approval of the Appointing Authority on 27.05.2008. The ACC raised certain queries regarding these two applicants not meeting the requisite criteria for promotion and rejected their cases on 24.02.2009. Thereafter, acting on their representations, the matter was taken up with DoP&T and after protracted communications, ACC considered their cases afresh and approved the same. Approval was finally communicated on 15.10.2012. Thus, it is clear that the promotion in these two cases were delayed because ACC was not satisfied with their performance.

6.5 In the case of Dr. Bhoop Singh, the Selection Committee had recommended him for promotion w.e.f. 01.07.2008. However, ACC did not approve the same on the ground that the guidelines relating to the policy of FCS were being revised and directed that the proposal be examined in terms of the new guidelines. Thereafter, this matter remained in protracted correspondence with DoP&T and finally ACC approval was obtained for Dr. Bhoop Singh along with others in his batch on 22.10.2012. In the case of Dr. K.R. Murali Mohan, Dr. M.K. Patairiya and Sh. Rambir Singh, it was decided with the approval of competent authority to process their cases only after the revised guidelines of FCS were received . Sh. S.S. Kohli was

granted promotion on 24.01.2014 after the new guidelines had come into force and his case was considered under them.

7. We have heard both sides and have perused the material placed on record. Sh. R.V. Sinha, learned counsel appeared for the respondents and has taken a preliminary objection that this O.A. was barred by limitation. He also relied on the judgment of the Apex Court in the case of **D.C.S. Negi Vs. Union of India & Ors.**, [Special Leave (Civil)CC No. 3709/2011] on 07.03.2011 to say that Tribunal cannot entertain a OA until and unless it had been filed within the limitation period or satisfactory explanation has been given for the period of delay. In the instant case, promotions were granted to the applicants on different dates between 2012 and 2014 but this OA has been filed on 06.08.2014. It is also not accompanied with any application for condonation of delay.

7.1 In response, learned counsel for the applicants Sh. R.K. Kapoor argued that as far as applicants No. 3,4, 6 & 7 are concerned, there is no delay as the promotions were granted in the year 2014 and the O.A. has been filed on 06.08.2014. As regards applicants No. 1, 2 & 5 Sh. Kapoor submitted that they were only seeking ante dating of their dates of promotion. If they succeed in the OA, this would only involve pay fixation from back date. No third party rights would be involved and in any case wrong pay fixation constitutes recurring

cause of action. Considering the submissions of both sides and with a view to render substantive justice, we condone the delay in filing this O.A. with respect to applicants No. 1, 2 & 5 and proceed to decide this O.A. on merits.

7.2 Sh. Sinha further argued that although the applicants were seeking relief as mentioned in para-8 of the OA (extracted above) they have not impugned the respective promotion orders and in absence of such challenge relief prayed for cannot be granted. He also submitted that the application for joining together was also not maintainable because reasons for delayed promotion were different in each case and hence cause of action was not common. In response, Sh. R.K. Kapoor had submitted that the applicants were not challenging their promotion orders and were not seeking quashing of the same. They were only looking for modification in the dates from which promotions have been granted. As regards the cause of action being different Sh. Kapoor submitted that all the applicants were seeking the same relief, namely, grant of promotion from the date of eligibility rather than from the date from which it was actually granted.

7.3 After considering the submissions of both sides, we are inclined to agree with the applicants. Hence, we dismiss this preliminary objections raised by the respondents.

7.4 Next, Sh. Sinha argued that promotion from Grade-'F' to Grade-'G' was not automatic and was not to be granted merely on completion of minimum residency period. Certain other conditions mentioned in the Rules-6(1)(a) and 6-1(c) read with Rule-6(1)(f) were also required to be fulfilled. We agree with the respondents that besides fulfilling the requirement of residency period, the applicants were also required to attain 'outstanding' ACR gradings besides requirement of Rule-6(5), which reads as follows:-

"Field experience in research and development and or experience in implementation of such scientific projects is compulsory for promotion of scientists recruited to the posts in the Ministries/Departments to higher grades under Flexible Complementing Scheme (FCS). Filed experience of at least two years and five years respectively will be essential for promotion to Scientist 'F' and Scientist 'G' grades respectively. However, during the transitional period, Screening Committee may relax this requirement in case of meritorious candidates.

Thus, a person can be granted such promotion only when he has put in the prescribed length of service in the feeder grade, has attained the bench-mark prescribed in ACR gradings and also fulfills the requirement of Scientific and Technical achievements mentioned in the Rules. His suitability for promotion has to be evaluated by a Screening Committee/Assessment Board constituted for this purpose.

7.5 Sh. Sinha further argued that Rule-6(7)(b) provides that the effective date of promotion of those found eligible shall be the date as fixed by the competent authority and no promotion with retrospective effect shall be admissible in any case. He submitted

that no promotion can be granted in violation of the Rules. The Rules do not provide for retrospective promotion even under the FCS and hence the relief prayed for by the applicants cannot be granted. Sh. Sinha relied on the judgment of Hon'ble High Court of Delhi in the case **Union of India Vs. Vijender Singh**, [WP(C) 1188-90 of 2005 with WP(C) 1723 of 2010] dated 29.11.2010 in which after noting various judgments of the Apex Court, such as, **UOI & Ors. Vs. K.K. Vadera & Ors.**, 1989 Supp (2) SCC 625, **Baij Nath Sharma Vs. Hon'ble Rajasthan High Court at Jodhpur & Anr.**, (1998) 7 SCC 44, **State of Uttaranchal & Anr. Vs. Dinesh Kumar Sharma**, (2007) 1 SCC 683 and **Nirmal Chandra Sinha Vs. Union of India & Ors.**, 2008(14) SCC 29, Hon'ble High Court has observed that service jurisprudence does not recognize the jurisprudential concept of deemed retrospective promotion until and unless there exists a rule or residual power in exercise of which such promotion can be granted retrospectively. Thus, no person can claim a right to be promoted from the date when the vacancy arose. Sh. Sinha also cited the following judgments:-

- (i) **Bharat Petroleum Corporation Ltd. Vs. N.R. Vairamani**, 2004(8) SCC 579.
- (ii) **State of Haryana & Ors. Vs. AGM Management Services Ltd.**, 2006(5) SCC 520.
- (iii) **Union of India & Anr. Vs. K.L. Taneja & Anr.**, 2014(2)SLR 61.

to assert that before judgment of a Court is applied in any given case, it must be seen whether the facts and circumstances of the

case cited are similar to the case in which judgment is being applied. He submitted that Apex Court has also observed that Court judgments were not Statutes and cannot be read as Euclid's theorems. He also relied on the judgment of **State of Rajasthan Vs. Fateh Chand**, 1996(1) SCC 562 to say that even grant of higher pay scale under FCS was promotion.

7.6 In response, Sh. R.K. Kapoor relied on the judgment of Apex Court in the case of **UOI & Anr. Vs. S.K. Murti** [SLP (Civil No. 6894/2011] dated 02.05.2011 and submitted that the case of Sh. Murti was identical to the instant case and the ratio laid down in that judgment was applicable in the instant case as well. Sh. Kapoor further submitted that this Tribunal in several judgments has on relying in **S.K. Murti's** case granted relief. He has cited judgments of Co-ordinate Bench of this Tribunal in **OA-1781/2015** (Dr. Anjum N. Rizvi Vs. UOI & Ors.) dated 21.02.2017, **OA-4364/2015** (Mr. W Bharat Singh & Ors. Vs. UOI & Ors.) dated 10.03.2017 and **OA-3016/2015** (Dr. G.J. Samathanam (retired) Vs. Deptt. of Science and Technology & Ors.) dated 04.07.2017.

7.7. Sh. Sinha, however, argued that the judgment in the case of **S.K. Murti** was not a judgment given in rem and cannot be applied in the instant case. He cited judgment of a Co-ordinate Bench of this Tribunal in **OA-1926/2013** (Dr. A. Duraisamy Vs. Ministry of

Environment & Forest) dated 29.05.2014, in para-33 of which it has been observed that the directions given by the Apex Court in the case of **S.K. Murti** (supra) was not in rem but only in personam.

7.8 In response, Sh. Kapoor drew our attention to the judgment in **OA-4364/2015** (supra) wherein it has been held that the judgment given by Hon'ble High Court of Delhi in the case of **Dr. S.K. Murti** (supra) has been upheld by the Apex Court and is binding and that the issue is well settled and is no more res integra.

7.9 We have considered the submissions of both sides. Sh. Sinha had argued that no promotion can be granted contrary to the provisions of the Recruitment Rules. Since Rule-6(7)(b) of the Rules clearly provides that promotions shall be prospective, there is no merit in the claim of the respondents. We, however, notice that Rule-6(7)(a) of the same Rules provides that review for promotion by the Screening Committee shall be done twice a year on 1st January and 1st July of every year. The same Rule also provides that all candidates, who have completed the prescribed period of residency, shall be considered for promotion, such assessment has to be done well in advance. Further, we find that when DoP&T received a number of references from various Ministries on the issue of ante dating retrospective promotions under the FCS on account

of various reasons in their OM dated 21.09.2012, they have opined as follows:-

"3. This Department has received a number of proposals from various Ministries/Departments on the issue of antedating the promotion/retrospective promotions under FCS based on court orders, etc. The delay in assessment for promotions is cited on account of various administrative reasons, non availability of ACRs., etc. The Hon'ble Courts/Tribunal while giving directions for giving promotions from a retrospective date have made references to the provisions of the DOPT OM dated 17.7.2002 which requires *in situ* promotions under FCS to be effected each year and mandates timely assessments should be made well in advance keeping in view the crucial dates. Attention is also invited to the DOPT instructions vide OM No. 21011/02/2009-Estt (A) dated 16 th February 2009 which prescribes the Time Schedule for preparation of Confidential Reports by the various Ministries/Departments. Delay in convening of Assessment Board meetings due to administrative reasons leads to delayed promotions which in turn has a bearing on subsequent promotions also.

4. Under FCS, promotion is not effected upon arising of a vacancy. Subject to being found suitable, the Scientists are entitled to be promoted *in situ*. The guidelines however lay down that assessment norms for promotions under the FCS should be rigorous with due emphasis on evaluation of scientific and technical knowledge so that only scientists who have to their credit demonstrable achievements or higher level of technical merit are recommended for promotion. Giving the benefit of promotions from a retrospective date or from the date of completion of residency period without timely assessment as prescribed in our guidelines would dilute the spirit of FCS instructions on rigorous assessment and would be akin to granting of financial upgradation as in other such schemes."

Thus, it is clear that DoP&T have emphasized on holding the Assessment Board/Screening Committee meetings **in** time and stated that if such meetings are held on time, there shall be no delay in granting promotions and the question of granting retrospective promotion would not arise. They have, however, also emphasized that the assessment should be rigorous as per the prescribed norms. Thus, it is clear that they have not given any opinion applicable to cases where the Screening Committees/Assessment Boards are not

held on time or where there is delay in obtaining the approval of the competent authority on the recommendations of the Assessment Board/Screening Committee.

7.10 It is noteworthy that promotion under FCS is in-situ and not vacancy based as in the case of normal promotions. In the case of FCS, the post occupied by the person being granted such promotion is upgraded as personal to the officer. The officer continues to occupy the same post after promotion and continues to discharge the same duties as well. This is different from normal vacancy based promotion, which involves movement of an officer to a higher post having higher duties and responsibilities. In such cases, higher pay is made admissible only on assumption of higher duties and hence retrospective promotion, which would involve grant of promotional benefits from a back date cannot be granted. Various judgments of the Apex Court relied upon by the respondents fall in this category. On the contrary, under the FCS, the person continues on the same post and continues discharging the same duties. This is more akin to financial up-gradations being granted under the ACP/MACP Scheme in which up-gradations are given from the date of eligibility rather than the date of approval by the competent authority. In the case of FCS promotion as well as financial up-gradations granted under the ACP/MACP Scheme, there is no change in the nature of duties being discharged by the government employee, nor is

availability of vacancy an issue. Financial up-gradation Schemes as well as FCS have both been formulated to avoid stagnation due to non availability of vacancies in higher posts. In the case of FCS applicable to Scientists, the main purpose behind the Scheme is to keep the Scientists motivated. In case the norms laid down for vacancy based promotions are applied in FCS promotion also then the very purpose of the Scheme would be lost.

7.11 As far as the contention of Sh. Sinha that granting retrospective promotion would be against the Recruitment Rules, it is noteworthy that respondents themselves have violated the Rules by delaying holding of Screening Committee Meetings and obtaining approval of competent authority well in advance. Such situation has not been envisaged in the Rules, which are framed with the assumption that Screening Committee Meetings shall be held on 1st January and 1st July every year well in advance so that by the time the date of eligibility of as a Scientist arrives, he can be granted promotion to the next grade. Hon'ble High Court of Delhi while deciding the case of **Dr. S.K. Murti** (supra) has observed that the respondents cannot be allowed to take advantage of their own fault of delaying Selection Committee Meetings and make the employee suffer for that. This finding of Hon'ble High Court has been upheld by the Apex Court in the SLP filed against the same order.

8. Sh. Sinha had relied on the judgment of this Tribunal in **OA-92/2015** (Dr. V.S. Rao Chintala Vs. UOI) dated 30.05.2017 also, which had been dismissed by this Tribunal. However, on going through the same, we find that in that case relief was denied to the applicants because they had been assessed but not found fit under the prescribed norms for promotion under the FCS. Since meeting the assessment norms is a pre condition, in such cases, they were entitled to promotion only from the date from which they were found to be fit for such promotion by the Assessment Committee. However, this is not the situation in the instant case. Here all the applicants were found to be fit on the date of eligibility itself. Hence, there was no justification in postponing their date of promotion.

9. In view of the above analysis, we are inclined to allow this O.A. and direct the respondents to grant ante dated promotions to Grade-'G' to the applicants under the FCS from the date of their eligibility. The applicants shall also be entitled to consequential arrears. Considering the facts and circumstances of the case, we are not inclined to allow any interest on the arrears. The benefits may be given to the applicants within a period of 08 weeks from the date of receipt of a certified copy of this order. No costs.

(Raj Vir Sharma)
Member (J)

/Vinita/

(Shekhar Agarwal)
Member (A)