

**Central Administrative Tribunal
Principal Bench**

OA No.1986/2015

New Delhi, this the 2nd June, 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. V. N. Gaur, Member (A)**

Shri Santosh Kumar
Aged 50 years,
S/o Shri Nauratan Singh
Permanent R/o village Dudhauna
Post Jagatpur, District Mainpuri,
UP.
at present
R/o H. No.48, Gali No.8, Mukundpur-II,
Mathur Chowk,
Delhi-84.

.... Applicant.

(By Advocate : Shri Rana Ranjit Singh with Shri Vivek Kumar Singh)

Versus

1. Union of India
Through its Secretary
Ministry of Women & Child Development
Shastri Bhawan,
New Delhi.
2. The Chairman
National Commission for Protection of Child Rights,
5th Floor, Chanderlok Bldg. 36, Jan Path,
New Delhi

.... Respondents.

(By Advocate : Shri Gyanendra Singh)

: O R D E R (ORAL) :

Justice Permod Kohli, Chairman :

Heard.

2. Issue notice. Shri Gyanendra Singh, learned standing counsel appears and accepts notice on behalf of the respondents.
3. The applicant applied seeking appointment as Member, National Commission for Protection of Child Rights in response to the advertisement notice dated 22.04.2016. He claims to be eligible in terms of Rule 3 A of the National Commission for Protection of Child Rights Rules, 2006, as amended vide GSR 207 (E) dated 24.03.2014 (hereinafter referred as "Rules, 2006). Under the provisions of Section 3

of the Commission for Protection of Child Rights Act, 2005, the Commission consists of a Chairperson who is a person of eminence and has done outstanding work for promoting the welfare of children, and six Members out of which two shall be women, from various fields including education; child health care, welfare of child development; and juvenile justice etc.

4. The respondents, on completion of the process of selection, have notified the names of Chairperson and three Members out of six.

5. The grievance of the applicant is that all the six Members have not been notified despite completion of the selection process. The applicant has also challenged the *vires* of Rule 6C(3) of the Rules, 2006.

6. We have heard learned counsel for the parties, and perused the averments contained in the OA including challenge to the rules. We do not find any valid ground to entertain a challenge to Rule 6C(3) of the Rules, 2006. The prayer in this regard cannot be acceded to.

7. In respect of non selection of all the six members and the claim of the applicant for appointment as Member, he has filed representations dated 02.03.2016, 18.04.2016 and 27.04.2016, and also served a legal notice dated 09.05.2016. These representations/legal notice have not been responded to till date, nor disposed of.

8. In view of the above circumstances, we dispose of this OA at the admission stage itself with the direction to the respondents to consider the representations and legal notice served by the applicant and pass a reasoned and speaking order within a period of two months from the date of receipt of copy of this order.

(V. N. Gaur)
Member (A)

(Permod Kohli)
Chairman

/pj/