

**Central Administrative Tribunal
Principal Bench**

**OA No.3818/2016
MA No.3386/2016
MA No.3387/2016**

New Delhi, this the 11th day of November, 2016

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. Shekhar Agarwal, Member (A)**

1. Shri Anil Kumar Kashyap (Emp Code: 2295),
Aged 50 Yrs,
S/o Sh. S.P. Kashyap,
Working as : Scientist D (Group 'A'),
R/o U-180/A, Shakarpur, Vikas Marg,
New Delhi-110092.
2. Ashok Kumar Chanana (Emp Code: 1778),
Aged 63 years,
S/o Shri DR Chanana,
Retired as Scientist 'F' (Group 'A'),
R/o C-112, Upper Ground Floor,
New Rajender Nagar,
New Delhi-110 060.
3. Suraj Prakash Rajpal (Emp Code: 258),
Aged 53 years,
S/o Late Shri Hari Chand,
Working as : Scientist E (Group 'A'),
R/o 1196/12, R.K. Puram,
New Delhi-110 022.
4. Dr. Meenakshi Mahajan (Emp Code: 4311),
Aged 55 years,
D/o Shri Suraj Prakash,
Working as : Scientist F (Group 'A'),
R/o D-II/205, West Kidwai Nagar,
New Delhi.
5. Shri Roop Ram (Emp Code: 376),
Aged 58 years,
S/o Giani Ram,
Working as : Scientist C (Group 'A'),
R/o H.No. 1/3 Block F,
St. 10 Nawada Housing Complex,
New Delhi.

6. Smt. Hrang Thanhli, (Group 'A'),
Aged 47 years,
D/o Shri Hrang Dailova,
R/o 24/4, Sector 1, Pushp Vihar,
New Delhi.
7. Shri Pradeep Kumar Aggarwal, (Group 'A'),
Aged 48 years,
S/o Shri Radhey Shyam Aggarwal,
R/o C 274/4, Arjun Nagar,
New Delhi.
8. Shri Sanjeev Kapoor (Emp Code: 4675),
Aged 48 years,
S/o Shri Sukhdayal Kapoor,
Working as : Scientist C (Group 'A'),
R/o House No.JMC 465,
Gurhabakshi Nagar,
Jammu.
9. Shri Rahul Sharma,
Aged 47 years,
S/o Shri D.C. Sharma,
Working as : Scientist C (Group 'A'),
R/o 216 A, Shastri Nagar,
Jammu.
10. Shri Jit Raj (Emp Code: 1598),
Aged 54 years,
S/o Shri Late Basakhi Ram,
Working as : Scientist E (Group 'A'),
R/o E-172, Sainik Colony,
Jammu.
11. Shri Vivek Sharma, (Group 'A'),
Aged 44 years,
S/o Shri Surinder Kumar Sharma,
R/o Vill Muradpur, Tehsil & Distt. Rajouri
J&K.
12. Shri Baiju Ubbott, (Group 'A'),
Aged 42 years,
S/o Shri Dushyant Ubbott,
R/o Royal West Apartments,
Sainik Colony,
Jammu.

13. Shri Rajesh Kumar (Emp Code: 4652),
Aged 43 years,
S/o Shri Ram Rattan Sharma,
Working as : Scientist C (Group 'A'),
R/o H.No.167, W No.5, Gurudwara Gali,
Udhampur, J&K.
14. Shri Sunil Kaul (Group 'A'),
Aged 49 years,
S/o Shri Niranjana Nath Kaul,
R/o 474-Shanti Nagar, Toph Shakonia,
Jammu.
15. Shri Mohd. Saleem Khan (Emp Code: 2248),
Aged 52 years,
S/o Late A.R. Khan,
Working as : Scientist E (Group 'A'),
R/o EP/BC-06, Dalpatiya Mohalla,
Jammu.
16. Shri Kanya Lal Pandit (Emp Code: 3217),
Aged 54 years,
S/o Shri Kanth Pandit,
Working as: Scientist C (Group 'A'),
R/o 50/2, JDA Housing colony,
Roop Nagar,
Jammu.
17. Shri Muzafar Iqbal Mir (Emp Code: 4703),
Aged 50 years,
S/o Shri Abdul Majid Mir,
Working as Scientist C (Group 'A'),
R/o H.No.193-A, Wazrat Road,
Jammu.
18. Shri Raman Gupta, (Group 'A'),
Aged 43 years,
S/o Sh. Yash Pal Gupta,
R/o 202, Sarnal Colony,
Jammu.
19. Shri Sudhir Kumar Sharma (Emp Code : 5185),
Aged 43 years,
S/o Shri Ved Prakash Sharma,
Working as : Scientist C (Group 'A'),
R/o 64, Bakshi Nagar,
Shopping Centre Jammu.

20. Shri Rakesh Kumar Gupta, (Group 'A'),
Aged 50 years,
S/o Shri Madan Lal Gupta,
R/o H.No.27, Rehaii B.C. Road,
Jammu.
21. Shri Rakesh Jamwal (Group 'A'),
Aged 51 years,
S/o Shri Didar Singh,
R/o VPO Raipur, Tehsil Distt,
Jammu.
22. Shri Sanjay Gupta, (Group 'A'),
Aged 45 years,
S/o Shri B.L. Gupta,
R/o Lane No.17, H.No.376 A, Rajpura],
Mangotrian,
Jammu.
23. Shri Anil Kumar (Emp Code : 4655),
Aged 46 years,
S/o Shri Dina Nath Abrot,
Working as : Scientist C (Group 'A'),
R/o 177, Upper Lakshmi Nagar, Sarwal,
Jammu, J&K.
24. Shri Kiran Kumar Koul (Emp Code: 2725),
Aged 49 years,
S/o Shri K.N. Koul,
Working as : Scientist D (Group 'A'),
R/o 721- Subhash Nagar,
Jammu.
25. Shri Manoj Kumar Sharma, (Group 'A'),
Aged 52 years,
S/o Shri Brij Kishor Sharma,
R/o LIG-58 Nehru Nagar Bhopal.
26. Shri Varinder Singh Pathania (Emp Code : 3207),
Aged 49 years,
S/o Shri Partap Singh,
Working as : Scientist C (Group 'A'),
R/o Mangal Enclave, Gangyal,
Jammu.

27. Shri Farooq Ahmad (Emp Code: 2978),
Aged 53 years,
S/o Shri G.M. Sofi,
Working as: Scientist D (Group 'A'),
R/o 12-Pathan Batamaloo, Srinagar.
28. Shri Satpal Sharma,
Aged 45 years,
S/o Shri Ram Kishan,
Working as: Scientist D (Group 'A'),
R/o Panchkula.
29. Shri Harbaksh Singh (Emp Code: 4903),
Aged 47 years,
S/o Lt. Shri Kartar Singh,
Working as: Scientist D (Group 'A'),
R/o H.No. 147 W.No.1 Narwal Pain,
P/o Satwari Jammu.
30. Smt. Shama Kanotra (Emp Code : 5188),
Aged 46 years,
D/o Raj Kumar Kanotra,
Working as: Scientist D (Group 'A'),
R/o H.No.JMC 465, Guraha Bakshi Nagar,
Jammu.
31. Shri Ravi Baarna, (Group 'A'),
Aged 50 years,
S/o Laji Ram,
R/o Ward No.65, Upper Barnai Bantalab Road,
Jammu.
32. Shri Din Dayal Gupta (Emp Code: 4702),
Aged 47 years,
S/o Rajeshwar Nath Gupta,
Working as : Scientist C (Group 'A'),
R/o H.No.254 Road, Front Sector,
Subhash Nagar,
Jammu.
33. Shri Jatinder Pal Singh (Group 'A'),
Aged 52 years,
S/o Baldev Singh Sethi,
R/o 143, Narwal Pain, Jammu Cantt, Satwari,
Jammu

34. Shri Suresh Kumar, (Group 'A'),
Aged 49 years,
S/o H.R. Gupta,
R/o H.No.192, Street No.15, Talab Tillo,
Jammu.
35. Shri Anil Kumar Sharma (Emp Code : 2727),
Aged 50 years,
S/o Sohan Lal,
Working as : Scientist D (Group 'A'),
R/o 119, Sector 1, Gangyal,
Jammu.
36. Shri Sarbjeet Singh (Emp Code : 5577),
Aged 40 years,
S/o Nater Singh,
Working as: Scientist B (Group 'A'),
R/o W.No.6, Kohrinar, Poonch,
J&K.
37. Shri Mohd. Umar Farooq (Emp Code : 1122),
Aged 53 years,
Working as: Scientist D (Group 'A'),
S/o Shri Muji Bullah,
R/o Kahlilabad, Sant Kabir Nagar,
U.P.
38. Shri Shamsuddin Khan (Emp Code : 4434),
Aged 50 years,
S/o Late Moizuddin Khan
Working as : Scientist C (Group 'A'),
R/o B-10, Informatics Apts, Sector PI-1,
Gr. Noida, UP.
39. Shri Iftekhar Ahmed (Emp Code: 1350),
Aged 50 years,
S/o Shri M.B.Qureshi,
Working as : Scientist D (Group 'A'),
R/o House No.22 Type IV,
Kendranchal Colony Aliganj Sector-K,
Lucknow (UP).
40. Shri Radhe Hinda (Emp Code : 4577),
Aged 49 years,
S/o Radhe Kanhi,
Working as : Scientist C (Group 'A'),
R/o Officers Colony Chaujlay,
Arunanchal Pradesh.

41. Smt. Vimali Orlind Punitha, (Emp Code : 5588),
Aged 40 years,
D/o S. Sawarimuthu,
Working as : Scientist B (Group 'A'),
R/o 2, Marappa Blk, J C Nagar, Bengaluru.
42. Smt. Sucheeta Kak (Emp. Code: 2254),
Aged 50 years,
W/o Shri Sanjeev Kumar Kak,
Working as : Scientist D (Group 'A'),
R/o B-223, Emerald Park City, Bhopal, MP
43. I. Lanusungkum Aier (Emp. Code: 4014),
Aged 50 years,
S/o K. Imotemjen Aier,
Working as : Scientist D (Group 'A'),
R/o House No.236, Upper Bayavu Hill Colony,
Kohima, Nagaland, 797001.
44. Kemvu Elah (Emp. Code: 3914),
Age 49 years,
S/o Lt. Tshuzelo Elah,
Working as : Scientist D (Group 'A'),
R/o H.No.25, D.Khel-I, Kohima-797001,
Nagaland.
45. Dr. S.P. Kulshreshta (Emp Code: 1690),
Aged 52 years,
S/o Late B.K. Kulshreshta,
Working as : Scientist F (Group 'A'),
R/o 35, Rajat Enclave, Milan Vihar,
GMS Road, Dehdadun-248001.
46. Shri Punchok Paldan,
Aged 43 years,
S/o Shri Sonam Wangdus,
Working as : Scientist/DIO (Leh) (Group 'A'),
R/o Skurbuchan Leh-Ladakh, J&K.
47. Shri P.V. Mohan Krishan (Emp Code: 1377),
Aged 53 years,
S/o Shri T.M.R. Wariyar,
Working as : Scientist F (Group 'A'),
R/o House No.D 502, Pawitra Apartments,
Vasundhara Enclave,
Delhi-110096.

48. Shri Avinash Gupta (Emp Code : 1088),
Aged 52 years,
S/o Late P.L. Gupta,
Working as : Scientist F (Group 'A'),
R/o House No. G-802, Pearl Court,
Vaishali, Ghaziabad, UP
49. Shri Naveen Kumar (Emp Code: 2398)
Aged 49 years
S/o Late Om Prakash
Working as Scientist E (Group 'A')
R/o House No.C-3/33, 2nd Floor
Phase-2, Ashok Vihar, Delhi-110052.
50. Shri Vineet Tomar (Emp Code: 3823)
Aged 49 yrs., S/o Vijai Pal
Working as: Scientist E(Group 'A')
R/o House No.702, Tower 9, Star Count
J.P. Greens, Greater Noida, Noida
G.B. Nagar.
51. Ms. Arpita Burman (Emp Code: 4305)
Aged 46 yrs., D/o Shri Anil Ranjan Bairagi
Working as: Scientist E(Group 'A')
R/o Z-10, Hudco Place
New Delhi-110049.
52. Shri Shiv Shankar Sharma (Emp Code: 4207)
Aged 50 Yrs., S/o Svndar Sharma
Working as: Scientist D(Group 'A')
R/o House No. SRB-62 A, Shipra River
Indirapuram, Ghaziabad.
53. Shri Vipin Kumar Gupta (Emp Code: 3675)
Aged 46 years, S/o Late Shri P.S. Gupta
Working as: Scientist C (Group 'A')
R/o House No.478, Shakti Khand-3
Indirapuram, Ghaziabad.
54. Shri Sandip Paul (Emp Code: 4172)
Aged 52 yrs. S/o Late S.K. Paul
Working as: Scientist C(Group 'A')
R/o House No.H1/28, 1st Floor
Mahavir Encl, N.D.
55. Shri Mahendra Narayan Singh (Emp Code: 3257)
Aged 52 yrs., S/o Late Prayag Singh
Working as Scientist C (Group 'A')
R/o House No.Kp-190, 2nd Floor, Pitampura,
New Delhi-110034.

56. Shri Kaushlendra N. Tewary
Aged 44 Yrs., S/o Sh. Bhupendra N. Tewary
Working as: Scientist (Group 'A')
R/o R-27-G, Dilshad Garden, Delhi-95.
57. Shri Akhilesh Kumar Tripathi
Aged 46 Yrs., S/o Sh. R.S. Tripathi
Working as: Scientist (Group 'A')
R/o 213, Asia House, K.G. Marg, New Delhi.
58. Shri Sunil Dutt Sharma
Aged 53 Yrs. S/o Om Dutt Sharma
Working as: Scientist (Group 'A')
R/o 10-B/156, Vasundhara, Ghaziabad.
59. Shri Sanjay Kumar Chauhan
Aged 53 Yrs., S/o Atma Ram Chauhan
Working as: Scientist (Group 'A')
R/o 359, Sector 3, R.K. Puram, New Delhi.
60. Shri Rajiv Kumar Sharma
Aged 54 Yrs., S/o Sh. K.P. Sharma
Working as: Scientist (Group 'A')
R/o D-703, CGRC, DDU Marg, New Delhi-110002.
61. Shri Gubala Janardhan
Aged 53 Yrs., S/o Sh. Komuraiah
Working as: Scientist (Group 'A')
R/o B-179, Pkt-6, KV-2, Sector 82
Noida, U.P. 201304.
62. Shri Aseem Gupta
Aged 44 Yrs., S/o Sh. K.K. Gupta
Working as: Scientist (Group 'A')
R/o BA/41, Shalimar Bagh, Delhi.
63. Ms. Savita Jain
Aged 50 Yrs., D/o Late Sh. B.N. Jain
Working as: Scientist (Group 'A')
R/o E-5, INA Colony, New Delhi.
64. Ms. Anju Kapoor
Aged 50 Yrs., D/o S.S. Chhabra
Working as: Scientist (Group 'A')
R/o 268-D, Pocket J&K, Dilshad Garden
Delhi.

....Applicants

(By Advocate: Shri V.S.R. Krishna)

Vs.

Union of India through

1. The Secretary
Ministry of Communication & Information Technology
Department Electronics & Information Technology
Electronics Niketan, CGO Complex
Lodi Road, New Delhi.
2. The Director General
National Informatics Centre
A-Block, CGO Complex, Lodhi Road
New Delhi.

...Respondents

(By Advocate : Shri Ramzan Khan for Shri Hanu Bhaskar)

ORDER (ORAL)

Mr. Justice Permod Kohli, Chairman :

MA No.3386/2016

For the reasons stated in the application, the MA is allowed.
Applicants are permitted to join in the OA.

OA No. 3818/2016

Heard.

2. Issue Notice. Shri Ramzan Khan for Shri Hanu Bhaskar, learned counsel, appears and accepts notice on behalf of respondents.

3. Shri V.S.R. Krishna, learned counsel appearing for the applicant submits that there is a typographical error in the

impugned order at Annexure A/1 inasmuch as the date in the typed copy is mentioned as 11.05.2015 whereas it is 11.05.2016 and the xerox copy annexed clearly indicate that the date of the said circular is 11.05.2016. He makes a prayer for indulgence of the Court to make a correction. Prayer allowed. Correction made in the open Court.

4. The applicants in the present case have impugned the circular dated 11.05.2016, whereby Scientist 'B' and above have been asked to file their Annual Work Report (AWR) along with the Annual Performance Appraisal Report (APAR) for the entire residency period from the year 2011 onwards. Apart from that, Reporting Officers are also required to give their assessment in Part 'B' of the AWR after the receipt from the officers reported upon and forward it to the Personnel Section latest by 06.06.2016.

5. The contention raised on behalf of the applicants is that, firstly, APAR contains all the information and there is no requirement of an additional AWR, secondly, that while writing APARs, the Reporting Officers have already commented upon the work and conduct of the officers and the assessment of the same work again could be prejudicial to the interest of the applicants.

6. The applicants have made representations dated 30.09.2016, 20.10.2016 and 27.10.2016, however, the respondents have not considered the same. Under the above circular, the AWR was

required to be submitted by 27.05.2016. The said period has now been extended up to 11.11.2016, vide circular dated 31.10.2016, a copy whereof has been placed on record in the court.

7. Keeping in view the above circumstances, this OA is disposed of at the admission stage itself with direction to the respondent No.2 to take a decision on the representations of the applicants, taking into consideration the averments made therein as also in the present OA. A copy of the OA shall also be placed before respondent No.2. Let the representations be disposed of within a period of one month from the date of receipt of certified copy of this order. Till the representation is considered, the applicants shall not be forced to comply with the impugned circular within the prescribed time. No costs.

8. Order **Dasti.**

MA No.3387/2016

Accordingly, the MA No.3387/2016 also stands disposed of.

(Shekhar Agarwal)
Member (A)

(Justice Permod Kohli)
Chairman

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