

**Central Administrative Tribunal
Principal Bench**

OA No. 4039/2018

This the 26th day of October, 2018

***Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)***

Dr. Subhashish Banerjee
S/o Lt. Sh. Ashit Kumar Banerjee,
R/o 268, Pocket-7, Sector-23,
Rohini,
Delhi-110085
Group-A
Aged around 53 years,
Presently working as
(Lecturer)
Aryabhat Institute of Technology, Delhi.

... Applicant

(By Advocate: Sh. Sourabh Ahuja)

Versus

1. GNCT of Delhi,
Through its Chief Secretary,
Delhi Secretariat, Players Building,
I.P. Estate,
New Delhi-2.
2. Principal Secretary/Secretary,
Department of Training & Technical Education,
GNCT of Delhi,
Muni Maya Ram Marg,
Pitam Pura, Delhi-88.
3. Director,
Department of Training & Technical Education,
GNCT of Delhi,
Muni Maya Ram Marg,
Pitam Pura, Delhi-88.

4. AICTE,
Through its Secretary,
Nelson Mandela Marg,
Vasant Kunj, New Delhi.

... Respondents

(By Advocate: Mrs. Harvinder Oberoi)

ORDER (ORAL)

By Justice L.Narasimha Reddy, Chairman

The applicant is a Lecturer (Selection Grade) English in the Department of Training and Technical Education, Government of NCT of Delhi. He made a representation dated 24.09.2018 to the second respondent stating that he became eligible to be considered for Stage-5 of AGP Rs.10,000/- in view of the relaxation of Academic Performance Index (API) score which is stipulated under the AICTE Regulation of 2012. The grievance of the applicant is that respondents are not considering his case.

2. Heard Sh. Sourabh Ahuja, learned counsel for applicant on merits and Mrs. Harvinder Oberoi, learned counsel for respondents, who appeared on receipt of advance notice.

3. A perusal of the representation submitted by the applicant which is filed as Annexure A-1 discloses that the emphasis was more on relaxation of API score. However, it is for the concerned authority to examine whether the relaxation for API score can be

given to the applicant, if he is otherwise eligible. The Annexure A-1 does not depict the full facts on this aspect.

4. We, therefore, dispose of the OA leaving it open to the applicant to make a fresh representation dealing with all the criteria stipulated under various notifications or rules and to indicate as to how he has complied with them. As and when such representation is made, respondents shall take necessary steps in accordance with law, and place it before the DPC or Evaluation Committee, as and when it meets.

There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L.Narasimha Reddy)
Chairman

‘sd’