

OA.No.170/00522/2016/CAT/BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00522/2016

DATED THIS THE 02ND DAY OF AUGUST, 2018

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI DINESH SHARMA, MEMBER (A)

Krishna Mohan T.R

S/o T.P. R. Nambisan

Aged about 59 years,

Working as Senior

Scientist Rank-F

R/at No. 162/1,

Basavanagar Main Road

Bangalore 560 037

Working at:

CSIR, Fourth Paradigm Institute

National Aerospace

Laboratories (Belur Campus)

NAL WTC Road, Marathahalli (P.O)

Bangalore – 560 037

.....Applicant

(By Advocate Shri B.S. Venkatesh Kumar)

Vs.

1. Union of India
Ministry of Science
And Technology
Anusandhan Bhawan,
2 Rafi Marg,
Represented by its Secretary
New Delhi – 110 001.

2. Department of Scientific
And Industrial Research (DSIR)
Anusandhan Bhawan,
2 Rafi Marg,
Represented by its Secretary
New Delhi – 110 001.

3. Director,
National Aerospace Laboratories,
Old Airport Road,
Bangalore – 560 017

4. Head,
CSIR, Fourth Paradigm Institute

National Aerospace

Laboratories (Belur Campus)

WTC Road,

Bangalore – 560 037

....Respondents

(By Shri B. Vishnu Bhat, Senior Panel Counsel for Respondent No.1 &

Shri K. Ananda, Counsel for Respondent No. 2-4)

O R D E R (ORAL)(HON'BLE DR. K.B. SURESH, MEMBER (J))

Heard. A person who has retired in 2016 is before us claiming for a promotion which was not given to him for apparently no fault of his. The learned counsel for the respondents invites our attention to paragraph 8 of the reply which we quote below:

"8. It is submitted that, Collegiums for evaluating the Performance Mapping of Scientists (PMS) for the year 2013-14 & 2015-16 was held in May 2016 in respect of all Scientist-F at CSIR-4PI. The promotion of all the Scientists from F to G level for the Assessment year 2014-15 and 2015-16 is presently being taken up by CSIR-Recruitment and Assessment Board (RAB). The applicant has also submitted his work report for the same on 11.05.2017. The applicant's details have been sent to RAB. It may be noted here that, the case of the applicant for assessment is taken up after his retirement for the reasons that promotion of scientists is done under flexible complementing scheme as per CSRAP Rules, 2001 and not on seniority cum merit basis."

2. If the said Board had not met after 11.05.2017 till now there is something very significantly wrong in the constitution of the Board. Such a Board should be disbanded immediately so as to make way for a better solution to the issue. At this point of time the learned counsel for the respondents undertakes that within the next two months the Board will be convened and the cases pending before them including the applicant's will be considered and orders will be issued. We note and record this submission.

3. The OA is allowed to this limited extent. No order as to costs.

(DINESH SHARMA)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00522/2016

Annexure A1 Copy of the Rules

Annexure A2 Copy of the circular dated 04.01.2010

Annexure A3 Copy of the representation dated 15.09.2015

Annexure A4 Copy of the representation dated 04.11.2015

Annexure A5 Copy of the notification dated 31.07.2015

Annexure A6 Copy of the notification dated 11.04.2016

Annexures with reply statement

Annexure R1 Copy of the order dated 02.12.1991

Annexure R2 Copy of the OM dated 31.05.2016

Annexure R3 Copy of the CSIR Scientist Recruitment and Assessment Promotion Rules, 2001

Annexure R4 Copy of the OM dated 03.12.2001

Annexure R5 Copy of the circular dated 04.01.2010

Annexure R6 Copy of the representation dated 14.09.2015

Annexure R7 Copy of the OM dated 08.10.2015

Annexure R8 Copy of the Recruitment Rules, 2008

Annexure R9 Copy of the letter dated 20.11.2015

Annexure R10 Copy of the PMS guidelines dated 11.04.2016

Annexure R11 Copy of the letter dated 31.07.2014

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