

O.A. 350/562/2018



CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

Rajendra Nath Biswas, S/o Late Brindaban Biswas, aged about 39 years, at present working as Assistant Security Officer, under the control of Director General, National Library, Belvedere, Alipore, Kolkata - 700027, at present residing at Kanthanpuli, Chakdah, Nadia, Pin -741222, West Bengal.

..Applicant

- Vs -

1. Union of India through Secretary, Govt. of India, Ministry of Culture, Library Section, 'C' Wing, Shastri Bhawan, New Delhi - 110115.
2. Joint Secretary, Govt. of India, , Ministry of Culture, Library Section, 'C' Wing, Shastri Bhawan, New Delhi - 110115.
3. Director, Govt. of India, Ministry of Culture, Library Section, 'C' Wing, Shastri Bhawan, New Delhi - 110115.
4. Under Secretary, Govt. of India, , Ministry of Culture, Library Section, 'C' Wing, Shastri Bhawan, New Delhi - 110115.
5. Director General, National Library, Belvedere, Alipore, Kolkata - 700027.
6. Assistant Library Information Officer & Chairperson (Committee against Sexual Harassment of Women at Workplace), National Library, Belvedere, Alipore, Kolkata - 700027.
7. Chairperson, National Commission for Women, Govt. of India, Plot No. 21, J.N. Area, New Delhi - 110001.

.. Respondents

8. Ms. Shalini Ved Prakash, Library Information Assistant, Display Unit, National Library, Belvedere, Alipore, Kolkata - 700027.

...P. Respondent

A handwritten signature in black ink, appearing to read "Rajendra Nath Biswas".

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

OA/ 350/562/2018

Date of order: 26.04.2018

Coram : Hon'ble Mr. A. K. Patnaik, Judicial Member

For the applicant : Mr. C. Sinha, *counsel*
For the respondents : None

ORDER

A. K. Patnaik, Judicial Member

This O. A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs :-

"(a) To set and quash impugned Report of the Committee against Sexual Harassment of Women dated 09.03.2018 as communicated vide letter dated 12.03.2018;

(b) To set and quash impugned letters dated 10/14.08.2017 and 19.08.2017 issued by Under Secretary to the Govt. of India, Ministry of Culture and Member, National Commission for Women;

(c) To direct the respondents to implement the recommendations dated 28.04.2017 of the Committee against Sexual Harassment of Women at Workplace forthwith.

(d) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

2. Heard Id. counsel Mr. C. Sinha, Id. Counsel for the applicant. None appears for the official respondents.

3. Brief facts of this case as narrated by the Id. counsel for the applicant are that the applicant was appointed as Assistant Security Officer in the National Library on 01.01.2007 and on 13.03.2017 a letter has been received by him to be present before the Committee Against Sexual Harassment of Women at Workplace and on 17.03.2017 he was asked to submit his deposition against the



complaint dated 11.01.2017 lodged by the private respondent. It is submitted by the Id. counsel for the applicant that the applicant submitted his deposition accordingly and thereafter the report and recommendation of the Committee Against Sexual Harassment of Women at Workplace dated 28.04.2017 was supplied to him under covering letter dated 19.05.2017 and on 10/14.08.2017 a letter was issued by the Ministry to place the matter before Committee Against Sexual Harassment of Women at Workplace for taking appropriate action. It is further submitted by the Id. counsel for the applicant that thereafter on 19.08.2017 a letter was issued by the National Commission for Women and the Committee Against Sexual Harassment of Women at Workplace vide letter dated 30.11.2017 and 03.01.2018 summoned the applicant to appear before the said committee. The applicant approached the respondent authorities vide representation dated 21.02.2018(Annexure A/7) with a demand for justice, but that has not been considered. Thereafter report and recommendation of the 2nd Committee Against Sexual Harassment of Women at Workplace dated 09.03.2018 was supplied to the applicant under covering letter dated 12.03.2018. Being aggrieved with the said report, the applicant submitted a representation to the respondent No.5 i.e. the Director General, National Library, Belvedere, Alipore, Kolkata dated 10.04.2018(Annexure A/11) ventilating his grievances therein, but his case has not yet been considered. Finding no other alternative, the applicant has approached this Tribunal seeking appropriate relief.

4. The Id. counsel for the applicant submitted that the applicant would be happy if a direction is given to the respondent No.5 to consider and dispose of the representation of the applicant dated 10.04.2018(Annexure A/11) as per rules



and regulations in force by passing a well reasoned order within a specific time frame.

5. Though no notice has been issued to the respondents, I am of the view that it would not be prejudicial to either of the parties, if a direction is issued to the respondent authorities to consider and dispose of the representation of the applicant as per rules in a time bound manner as prayed for.

6. Accordingly, the O. A. is disposed of with a direction to the respondent No.5 i.e. the Director General, National Library, Belvedere, Alipore, Kolkata to consider and dispose of the representation of the applicant dated 10.04.2018(Annexure A/11) by passing a well reasoned order as per rules and regulations in force within a period of six weeks from the date of receipt of this order and communicate the decision to the applicant forthwith. No action shall be taken by the respondent authorities against the applicant in this regard for a period of four weeks after the date of communication of the result to the applicant.

7. It is made clear that I have not gone into the merits of this case and all the points raised in the representation are kept open for consideration by the respondent authorities as per rules and regulations governing the field.

8. With the above observations and directions, the O. A. is disposed of. No order as to cost.

(A. K. Patnaik)
Judicial Member

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