

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**O.A. No. 3399/2019
M.A. No. 3735/2019**

New Delhi, this the 26th day of November, 2019



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

Dr. Naresh Kapoor
S/o Shri D.V. Kapoor
Presently working as : Senior Lecturer
State Council for Educational Research
& Training, Delhi
R/o House No.H-25
Green Park Extension
New Delhi-110 016.

.. Applicant

(By Advocate : Shri Vivek Sheel)

Versus

1. The Govt. of National Capital Territory of Delhi
Through the Secretary, Education
Ministry of Education
Delhi Secretariat, I.P. Estate
New Delhi-110 002.
2. The State Council for Educational
Research & Training, Delhi (S.C.E.R.T.)
Through : Chairperson, SCERT
Varun Marg, Defence Colony
New Delhi-110 024.

.. Respondents

O R D E R (ORAL)**Justice L. Narasimha Reddy, Chairman**

The applicant is working as Senior Lecturer (now classified as Associate Professor) in the State Council of Educational Research and Training (SCERT), New Delhi. He was issued a Retirement Notification dated 30.09.2019, informing him that he would attain the age of superannuation on 30.11.2019.

2. The applicant contends that the conditions of service of the staff in SCERT are required to be on par with of those in the National Council of Educational Research and Training (NCERT), and the age of superannuation of Lecturers in the latter is 65 years. It is also stated that the Recruitment Rules for the post of Associate Professor in the SCERT were already notified and those, for the post of Associate Professors (at present Senior Lecturers) are in the pipeline. With these contentions, the applicant prays for a direction to the respondents to amend Regulation 67 of the SCERT, to bring parity with the corresponding provisions in NCERT, and to quash the impugned communication dated

30.09.2019. Further prayer is to direct the respondents to continue the applicant in service, till he completes 65 years of age.

3. We heard Shri Vivek Sheel, learned counsel for the applicant.



4. Through the impugned communication dated 30.09.2019, the applicant was informed that he would attain the age of superannuation on 30.11.2019. It is not in dispute that as the Service Regulations stand now, the age of superannuation of Lecturer is 60 years. The applicant wants the age of superannuation prevailing in the NCERT to be adopted by the SCERT. Whatever be the initiative of the SCERT to take steps in this behalf, the Tribunal cannot issue any direction in the matter.

5. Learned counsel for the applicant has strenuously contended that the process of amendment of the Recruitment Rules and to restructure the Organisation, is halfway through. The fact, however, remains that even the Recruitment Rules for the post of Assistant Professor/Lecturer, published on 23.10.2019, did not

bring about any change in the age of superannuation of the Assistant Professors.

6. We do not find any merit in the O.A. and, accordingly, the same is dismissed. There shall be no order as to costs.



(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/jyoti/