

**GOVERNMENT OF INDIA  
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
LOK SABHA**

UNSTARRED QUESTION NO:3097  
ANSWERED ON:23.03.2005  
JUSTICE TO CAT EMPLOYEES  
Chatterjee Shri Santasri; Karunakaran Shri P.

**Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:**

- (a) whether the the Central Administrative Tribunal set up to provide speedy justice to the Central Government employees is not able to render justice to its own employees resulting in inviting adverse comments from the Madras High Court;
- (b) if so, the reasons therefor;
- (c) whether promotions in the Central Administrative Tribunal have been effected by the Department of Personnel and Training without preparation of seniority lists/year-wise panels;
- (d) if so, the reasons for delay in preparation of seniority lists;
- (e) the loss to the Government exchequer on account of wrong promotions; and
- (f) the punitive action taken/contemplated against those found guilty in this regard?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS. (SHRI SURESH PACHOURI)

(a) & (b): The High Court of Judicature at Madras in their judgement dated 06.01.2005/20.01.2005 had commented on the absence of appropriate seniority lists and had observed that this resulted in promotion of juniors in violation of the service rules. The Court had also observed that the amendments that came into existence subsequently, can not be applied to cases of promotion pertaining to previous years. Union of India and the Principal Bench of Central Administrative Tribunal were directed to prepare the panel for promotion to the posts of Joint Registrar in Central Administrative Tribunal year-wise from 1997-2000 by applying the rules that were in force at the relevant time. The directions of the Hon'ble High Court have since been complied with.

(c) & (d): The appointments to Group 'A' posts are made by the Government of India on the basis of recommendations made by the Departmental Promotion Committee/Selection Committee constituted by the Chairman, Central Administrative Tribunal as per the provisions of the notified recruitment rules. Appointments to Group 'B', 'C' & 'D' posts are, however, made by the Central Administrative Tribunal itself as per the provisions of the notified recruitment rules. The seniority lists and panels for all the posts/grades in Central Administrative Tribunal are prepared and maintained by the CAT as per the provisions of the rules and regulations.

The officers and staff were appointed at the time of setting up of the Central Administrative Tribunal from Central/State Governments/High Courts/Subordinate Courts and from various Government organizations on deputation basis or otherwise having different sets of Rules and Conditions of Service in their respective parent departments which resulted in delay in finalization of the seniority lists in various grades by the Central Administrative Tribunal. Due to several court cases regarding seniority, the seniority lists in various grades/groups could not be finalized. In the aftermath of judgment by the Supreme Court in the case of M. Ramachandran Vs. Union of India, in 1999, the seniority lists in various grades/groups were finalized by the Central Administrative Tribunal and promotions were made as per the provisions of the recruitment rules.

(e): There is no pecuniary loss to the Government exchequer.

(f): In view of the (e) above, question does not arise.