

भारत सरकार
Government of India
इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय
Ministry of Electronics & Information Technology
इलेक्ट्रॉनिक्स निकेतन, 6, सी जी ओ कॉम्प्लेक्स, नई दिल्ली-110003
Electronics Niketan, 6, C G O Complex, New Dehli-110003
Website: www.meity.gov.in

संख्या
No 6(1)/2018-ABCD(Pt.III)

दिनांक
Date 07.08.2023

To,

Shri Vasant Avaghade,
Visava Height, building No.4, Flat No.1
Visava Park, D.P. Road, Aundh, Pune
Pin-411007

Subject: **RTI Application bearing Registration No. DITEC/R/E/23/00836 dated 10.07.2023 filed by Shri Vasant Avaghade - reg.**

Sir,

This is in reference to your RTI application bearing Registration No. DITEC/R/E/23/00836 dated 10.07.2023.

2. The information are as per below:-

| Sl.No | Information Sought | Comments of ABC Division |
|--------------|---|---|
| 01. | A proposal submitted by C-DAC to MeitY in respect of Shri Vasant Avaghade with regard to ante-dating of his promotion in response to MeitY's letter No.6(1)/2018-ABCD(Pt.III) dated 24.05.2023 to Director General, C-DAC. | Information not available. |
| 02. | File/Green Sheet , Noting at MeitY w.r.t. examining the proposal submitted by C-DAC to MeitY in respect of Shri Vasant Avaghade with regard to ante-dating of his promotion in response to MeitY Letter No. 6(1)/2018-ABCD(Pt.III) dated 24.05.2023 to Director General, C-DAC. | Information not available. |
| 03. | All communications / reminders sent by MeitY to C-DAC after 24.05.2023 in respect of ante-dating of promotion of Shri Vasant Avaghade and replies received from C-DAC. | Copy of Letter No. 6(1)/2018-ABCD(Pt.III) dated 24.05.2023 and a Reminder dated 19.07.2023 issued by MeitY to C-DAC are enclosed. |
| 04. | All communications made by MeitY to NCSC after 24.05.2023 in respect of Shri Vasant Avaghade with regard to ante-dating of his promotion. | Information not available. |

3. Appeal, if any, against the above reply by CPIO may be made to Shri Shobhendra Bahadur, Dir.(Pers.) & FAA, MeitY within 30 days from the date of issue of this communication.

Yours faithfully,

SD/-
(V. Rajalakshmi)
Under Secretary & CPIO
Tel.No. 24301245

भारत सरकार
Government of India
इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय
Ministry of Electronics & Information Technology
इलेक्ट्रॉनिक्स निकेतन, 6, सी जी ओ कॉम्प्लेक्स, नई दिल्ली-110003
Electronics Niketan, 6, C G O Complex, New Delhi-110003
Website: www.meity.gov.in

संख्या 6(1)/2018-ABCD(Pt.III)

दिनांक 24.05.2023

No.....

Date.....

To

The Director General,
C-DAC, Pune.

Subject:- **Representation of Shri Vasant Avaghade, Sr. Director, C-DAC before NCSC - reg.**

Sir,

This is in reference to the promotion case of Shri Vasant Avaghade, Sr. Director, C-DAC.

2. After detailed deliberations with the concerned authorities, this Ministry has reached to a final decision to implement the judgement dated 25.08.2021 of Hon'ble Supreme Court (copy enclosed) in the case of ante-dating of promotion under FCS Promotion Policy.

3. Shri Vasant Avaghade was also reviewed under the FCS Promotion Policy by C-DAC. In view of discussions held before the Hon'ble NCSC in the last hearing held on 16.03.2023 (Minutes enclosed) and keeping in view the above decision of MeitY, C-DAC is hereby requested to examine the case of Shri Vasant Avaghade from the point of view of anti-dating and submit the proposal to this Ministry at the earliest, for examination by MeitY.

4. This issues with the approval of Secretary, MeitY.

Yours faithfully,

V. Rajalakshmi

Encl: As above.

(V. Rajalakshmi)
Under Secretary
Tel.24301245

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No. 6359/2016

UNION OF INDIA & ORS.

....Appellant(s)

VERSUS

VINAY KUMAR

....Respondent(s)

WITH


Civil Appeal No. 7234/2016
Civil Appeal No. 2575/2017
Special Leave Petition (C) No.29605/2018

O R D E R

1. In this group of matters, Civil Appeal No.6359 of 2016 challenging the judgment and order dated 30.07.2014 passed by the High Court¹ in Writ Petition(C) No.2357 of 2014 is taken as the lead matter and the facts pertaining to said appeal are stated in brief for the purposes of dealing with the issues raised in this batch of cases.

2. The respondent-Vinay Kumar was appointed as Scientific Officer on 24th April, 1992 and was given requisite benefit under "Flexible Complementing Scheme ("the Scheme" for short) as Scientist 'C' with effect from 1st January, 1999. In terms of the Scheme, his case for being considered for the next higher grade as Scientist 'D' ought to have been taken up soon after completion of four years but it was done

Signature Not Verified

Digitally signed by
Indu Marwah
Date: 2024.08.27
18:03:57 IST
Reason: 

1 The Division Bench of the High Court of Delhi at New Delhi.

around December, 2003.

3. The respondent therefore represented that in terms of the Scheme, he be given the scale of Scientist 'D' with effect from 1st January, 2003. His representation having been rejected, he approached the Central Administrative Tribunal ('the Tribunal', for short) by filing Original Application No.1476 of 2009. The Tribunal allowed his application relying upon the decision of the High Court in Writ Petition (C) No.14263 of 2004 [S.K. Murti vs. Union of India & Ors.].

4. The decision so rendered by the Tribunal was questioned by the appellant by filing Writ Petition (C) No.2357 of 2014 in the High Court, which relied upon the following observations made by the High Court in *S.K. Murti*:

"Suffice would it be to state that the memorandum requires Flexible Complementing Scheme in situ promotions to be W.P.(C) No. 2357/2014 Page 2 effected each year and for which the circular mandates that the assessments should be made well in advance keeping in view the crucial dates being 1st January and 1st July with effect wherefrom the Flexible Complementing Scheme in situ promotions have to be effected.

6. The last sentence of para 20 is relied upon by the respondents to urge that the office memorandum clearly states that no promotion should be granted with retrospective effect. To this the answer by the petitioner is that the preceding two sentences makes it very clear that the Assessment Boards have to be constituted well in advance keeping in view the fact that 1st January and 1st April of each year are crucial dates to effect promotions.

7. Now, nobody can take advantage of his own wrong. Nothing has been shown to us by the respondents to justify not constituting the

Assessment Board/Selection Committee in time.

8. That apart, instant case of promotion is not one where promotion has to be effected upon a vacancy arising. Subject to being found suitable the petitioner was entitled to be promoted in situ. The situation would be akin to granting a selection scale to a person and the date of eligibility would be the date wherefrom the benefit has to be accorded.

9. Under the circumstances, we hold in favour of the petitioner and direct that the benefit granted to the petitioner be reckoned with effect from 1.1.1999 instead of 19.9.2000. Arrears would be paid within 12 weeks from today but without any interest."

The aforesaid Writ Petition (C) No.14263 of 2004 was thus dismissed by the High Court.

5. At this stage, we may notice the following provisions of the Scheme framed vide Office Memorandum dated 09.11.1998

:-

"2. The recommendation of the Pay Commission to define "scientific administrators" and to exclude them from the benefit of in-situ promotions under Flexible Complementing Scheme and to bring them under the ambit of "Assured Career Progression Scheme" formulated by the Pay Commission has not been accepted. However, it has been decided that the Flexible Complementing Scheme should, as per its original objective, be made applicable only to scientists and technologists holding scientific posts in scientific and technology departments and who are engaged in scientific activities and services. It has also been decided that assessment norms for promotions under the Flexible Complementing Scheme should be rigorous with due emphasis on evaluation of scientific and technical knowledge so that only the scientists who have to their credit demonstrable achievement or higher level of technical merit are recommended for promotion under the Flexible Complementing Scheme.

...

3. The recommendations of the Pay Commission that existing disparities in the operation of Flexible Complementing Scheme in various scientific and technical departments in the matter of designation of posts, number of pay scales and the residency period should be removed and there should be uniformity in this regard has been accepted. Accordingly, all the posts covered under the Flexible Complementing Scheme shall carry the following uniform scales of pay, designations and minimum residency period linked to performance:-

....

5. It has further been decided that in order to extend the benefit of in-situ promotions under the Flexible Complementing Scheme to other Scientific organizations that are demanding the extension of FCS in their case, the administrative Ministry of such institution shall satisfy itself that such institutions are scientific and technical institutions and the officers are scientists holding scientific posts and are involved in scientific and technical activities as defined in the Annexure-I to the Office Memorandum and make its recommendations to the Department of Science & Technology. On receipt of such a request the Department of Science & Technology shall set up a Committee, including the representatives of the Department of Personnel & Training and of the Department of Expenditure as well as eminent scientists relevant to the discipline, for examining the proposal referred by the administrative Ministry concerned. A final decision on the proposal of an administrative Ministry for extension of FCS to other scientific organizations shall be taken based on the recommendations of this Committee.

Criteria for identifying Institutions/Organizations as Scientific & Technical Institutions and definition of Activities and Services, Scientists & Engineers and Scientific Posts.

....

(iii) The scientific culture is characterized by a few salient aspects, namely the persons involved are highly qualified and skilled technical personnel, involved in creative and innovative activity, they are willing to be judged on the

basis of merit and competence rather than on the basis seniority and a hierarchical structure;"

6. In *S.K. Murti*, the High Court was called upon to consider the effect of delay occasioned as a result of non-constitution of the Assessment Board/ Committee in time. The High Court found that the concerned candidate having become eligible, the delay on part of Assessment Board/Committee could not deprive him of his entitlement and as such the benefit ought to be reckoned with effect from the date of his eligibility.

7. It must be noted that the decision of the Division Bench in *S.K. Murti* was challenged in this Court in SLP (C) No.6864 of 2011 which challenge was rejected with following observations:

"The respondent, who was working as Scientist Grade-D in the Botanical Survey of India became eligible for promotion under FCS with effect from 1.1.1999. However, on account of delayed convening of the Departmental Review Committee/Selection Committee, his promotion was delayed and by an order dated 20.10.2000, he was promoted with effect from 19.9.2000.

The respondent and 10 other Scientists of Botanical Survey of India filed Original Application No.826/2003 for directing the petitions to promote them with effect from the date of eligibility i.e. 1.1.1999. The Tribunal dismissed the original application and held that in view of the clarification given in O.M. dated 10.11.1998, the applicants were not entitled to promotion with retrospective effect. The review petition filed by the respondent was dismissed by the Tribunal vide order dated 14.01.2004. However, Writ Petition (C) No.14263/2004 filed by the respondent was allowed by the Division Bench of the High Court and the petitioners were directed to give him all the benefits on the basis

of deemed promotion with effect from 1.1.1999.

In our view, reasons assigned by the High Court for directing the petitioners to promote the respondent with effect from the date of acquiring the eligibility are legally correct and the impugned order does not suffer from any legal error warranting interference under Article 136 of the Constitution.

It is not in dispute that vacancies existed when the Departmental Review Committee considered the case of the respondent and other similarly situated persons for promotion. It is also not in dispute that in terms of paragraph 51.25 of the Vth Pay Commission Recommendations, the Departmental Review Committee/Assessment Board was required to meet every six months, i.e. in January and July and the promotions were to be made effective from the date of eligibility. Therefore, it is not possible to find any flaw in the direction given by the High Court.

The special leave petition is accordingly dismissed."

8. When the instant appeal was admitted on 08.07.2016, this Court proceeded to direct that the operation of the impugned judgment would remain suspended during the pendency of the appeal. It was, however made clear that the officers promoted pursuant to the order under challenge would continue to function in the promoted category during the pendency of the appeal.

9. The fact situations in the accompanying matters are more or less identical.

10. Two subsequent developments must now be adverted to: -

(A) On 19.09.2016, an Office Memorandum was issued with the approval of the Hon'ble Minister for Electronics and Information Technology. The policy document appended to this

Office Memorandum set out the essential features as under:

"The Electronics Commission was constituted by way of a cabinet resolution in the year 1971 and the department served as its executive arm. Initially, appointment to Group 'A' S&T posts were made on contract basis for 5/6 years and a few appointments were made on deputation basis also. The Electronics Commission and the Prime Minister approved a Personnel Policy and Practice for Group 'A' S&T officers. This policy was given effect to w.e.f. 1.1.1982. The same policy, mutatis-mutandis, was extended to below Group 'A' level S&T officials.

2. The salient feature of this policy was that it enabled every scientist to progress at the rate determined by their merit rather than the constraints of availability of posts. This policy was modeled on the basis of practice prevalent in the Department of Space and Department of Atomic Energy. On the recommendation of the Vth CPC, the Government of India in the DOPT notified and FCS for Group 'A' S&T officers for seven departments, including this department. On the recommendation of the VIth CPC, a modified FCS was notified by DoPT. The modified FCS has been made applicable only to those possessing a minimum qualification of a degree in engineering or a master's degree in natural science. As a result, a large number of S&T Officers who were recruited by the department and its institutions with qualifications other than those prescribed in the Modified FCS have been left outside the purview of this scheme. In view of this, a necessity has arisen in the department to draft its own policy which will take into consideration the special circumstances prevailing not only in the Department but also in its subordinate and attached offices as also in the autonomous organizations under the department.

3. The policy shall cover all the existing Group A S&T Officers who are holding a Group A S&T post. The grade structure for which this policy will be applicable shall be as under: -

| Sl. No. | Pay band and grade pay | Designation | Minimum residency period |
|---------|------------------------|-------------|--------------------------|
| | | | |

| | | | (MRP) |
|---|------------------------|-------------|---------|
| 1 | PB-3, GP: Rs. 5400/- | Scientist B | 3 years |
| 2 | PB-3, GP: Rs. 6600/- | Scientist C | 4 years |
| 3 | PB-3, GP: Rs. 7600/- | Scientist D | 4 years |
| 4 | PB-4, GP: Rs. 8700/- | Scientist E | 5 years |
| 5 | PB-4, GP: Rs. 8900/- | Scientist F | 5 years |
| 6 | PB-4, GP: Rs. 10,000/- | Scientist G | |

All those S&T officials who have rendered the minimum residency period as indicated above, shall be eligible for consideration for promotion to the next higher grade. The crucial date for consideration shall be as on the 1st of January and 1st of July every year. The process for assessment should begin by October and April every year and end by mid-December and mid-June so that all promotions are given effect to as on 1st January and 1st July respectively every year. If, for some reasons, there are administrative delays in concluding the assessment process, the promotions shall, however, be given effect from as on 1st January/ 1st July of the eligible year.

.....

9. The policy is to be made effective retrospectively w.e.f. 01.01.2011. Reviews already conducted since 2011 under the FCS/MFCS policies of DOPT would be treated as having been done under the new policy and past review cases will not be re-opened."

It was thus clearly laid down that the assessment must be undertaken as on 1st January and 1st July every year and if for some reason, there was any administrative delay, the promotions must be given effect from as on 1st January/1st July of the eligible year.

(B) Thereafter, another Office Memorandum was issued on 12.02.2019 which was to the following effect:

"Ministry of Electronics & Information and

Technology (MeitY) has examined the issues regarding granting of in-situ promotions of Group 'A' S&T officers of MeitY and its organizations from the date of their eligibilities under the extant policy dated 19.09.2016 vis-a-vis DoPT's OM No. CS-14017/6/2017-Estt. (RR) dated 03.01.2018 regarding ante-dating of promotions of scientists on the directions of CAT/High Courts in consultation with DoPT. The matter has been deliberated at length and based on the comments received from DoPT and also keeping in view the fact that MeitY's Policy was introduced in the year 2016 but made effective from 01.01.2011, delegating the powers to the Competent Authority to decide the date of promotions, this Ministry has taken the following decisions for implementations of promotions under MeitY's Group 'A' S&T policy:-

i. With regard to promotion of Group 'A' S&T officers of MeitY, its Attached Offices and Statutory Bodies, for which the Appointing Authority is Hon'ble MEIT, promotions may be granted in respect of all the pending cases of batches prior to 01.07.2019/01.01.2020 (as the case may be), from the date of eligibility, in terms of ACC's direction mentioned in Para 1(a) of MeitY's OM dated 19.09.2016, so as to maintain uniformity.

ii. Provisions as per Para (I) with regard to promotions with effect from the date of eligibility will be made applicable suo-moto on the proposals already got approved/granted promotion from the date of approval of Competent Authority in MeitY, its Attached Offices and Statutory Bodies.

iii. With regard to the upcoming batches eligible as on 01.07.2019/01.01.2020 (as the case may be) and thereafter, all the organizations would be require to mandatorily complete the promotion exercise well in advance as laid down in the para 4 MeitY's personnel policy so as to ensure that the promotions are effected from the date of eligibility.

iv. In case of delay in completion of

the procedure for conducting the review promotion of future batches for any reason, the promotions shall be effected from the date of approval by the Competent Authority only.

2. All the organizations under MeitY are advised to ensure that the backlog review promotions are completed within the prescribed time and decisions of this Ministry are scrupulously followed while conducting the review promotion exercises of Group 'A' S&T officers under the MeitY's Policy dated 19.09.2016. In order to avoid delays in promotion in future, all the organizations under MeitY are also advised to complete the review promotions process well in advance of the due date.

3. This issue with the approval of Hon'ble MEIT."

According to this office memorandum, the Policy dated 19.09.2016 was continued without any qualification. The only occasion where the promotions would be effected from the date of approval by the Competent Authority was dealt with in sub-clause-iv that is to say where review promotions were in issue.

11. Ms. Madhavi Divan, learned Additional Solicitor General for the appellant submitted that the decisions of the High Court were incorrect and the entitlement of the concerned candidates would be only after the date of assessment by the Assessment Board/Committee.

12. Mr. R. Venkataramani, learned Senior Advocate appearing for some of the respondents submitted that in terms of Policy Documents dated 19.9.2016 and 12.02.2019, all the

benefits were required to be and as a matter of fact had been made over or extended to the concerned respondents.

13. The decision presently under challenge was based on the earlier decision rendered by the High Court in *S.K. Murti* which was affirmed by this Court. The view taken by the High Court that the interest of the concerned Scientists could not be put to prejudice as a result of delay in constituting the Assessment Committee in time, was affirmed by this Court.

The subsequent office memoranda dated 19.9.2016 and 12.02.2019 carry and seek to implement the same principle.

14. In the circumstances, we see no reason to take a different view in the matter. Affirming the view taken by the High Court which is presently under challenge, we dismiss this Civil Appeal No.6359 of 2016 without any order as to costs.

C.A. Nos. 7234/2016, 2575/2017 & SLP(C) No. 29605/2018

15. These matters stand disposed of in terms of the decision rendered in Civil Appeal No.6359 of 2016.

I.A. No.101912 of 2021 in Civil Appeal No.2575 of 2017

16. After the hearing in Civil Appeal No.6359 of 2016 and connected matters was over, Mr. Ajay Pratap Sharma, learned Advocate brought to our notice I.A. No.101912 of 2021 filed

in Civil Appeal No.6359 of 2016 seeking intervention. It was submitted that a large number of persons who were otherwise not entitled to be promoted, were granted promotions.

17. The issue in Civil Appeals was pertaining to the date of entitlement and not whether as a matter of fact, somebody was entitled to be placed in the next grade. In case the applicant has any grievance against the promotions, he may exercise such options as are open to him in law.

18. The instant application has nothing to do with the controversy which has come up for consideration in the present Civil Appeal.

19. This application for intervention is, therefore, rejected.

.....J.
(UDAY UMESH LALIT)

.....J.
(AJAY RASTOGI)

NEW DELHI
AUGUST 25, 2021

ITEM NO.4 Court 2 (Video Conferencing) SECTION XIV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 6359/2016

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

VINAY KUMAR

Respondent(s)

WITH

C.A. No. 7234/2016 (XIV-A)

SLP(C) No. 9703/2020 (XIV)
(FOR ADMISSION and I.R.)

C.A. No. 2575/2017 (XIV-A)
(IA No. 55433/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/
FACTS/ ANNEXURES)

SLP(C) No. 29605/2018 (IV-B)
(FOR ADMISSION and I.R. and IA No.152134/2018-CONDONATION OF DELAY
IN FILING)

Date : 25-08-2021 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE AJAY RASTOGI

For Appellant(s) Mr. Madhvi Divan, ASG
Mr. Gurmeet Singh Makker, AOR
Mr. Gopal Jha, Adv.
Mr. Bhuvan Mishra, Adv.
Mr. Vibhu Shankar Mishra, Adv.
Ms. Sakshi Kakkar, Adv.
Mr. Devashis Bharukha, Adv.

For Respondent(s) Mr. R Venkataramani, Sr. Adv.
Mr. Santosh Paul, Sr. Adv.
Mr. Vikrant Yadav, Adv.
Mr. Gaurav Dhingra, Adv.
Mr. M. C. Dhingra, AOR

Mr. Syed Mehdi Imam, AOR
Mrs. Shamama Anis, Adv
Mohd. Parvez Dabas,

Tabrez Ahmed, Adv
Uzmi Jameel Ahmed, Adv
Tashriq Ahmed, Adv

Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv
Mr. Suraj Singh, Adv
Mr. Manoj Kr Sharma, Adv
Mr. Bhuwan Chandra, Adv

Mr. R.K. Kapoor, Adv.
Mr. Rajat Kapoor, Adv.
Ms. Kheyali Singh, AOR

UPON hearing the counsel the Court made the following
O R D E R

Civil Appeal No. 6359/2016

The appeal is dismissed in terms of the signed order.

Pending applications, if any, shall stand disposed of.

Civil Appeal No.7234/2016, 2575/2017 and Special Leave
Petition (C) No.29605/2018

These matters stand disposed of in terms of the
decision rendered in Civil Appeal No.6359 of 2016.

I.A. No.101912 of 2021 in Civil Appeal No.2575 of 2017

After the hearing in Civil Appeal No.6359 of 2016
and connected matters was over, Mr. Ajay Pratap
Sharma, learned Advocate brought to our notice I.A.
No.101912 of 2021 filed in Civil Appeal No.6359 of
2016 seeking intervention. It was submitted that a
large number of persons who were otherwise not
entitled to be promoted, were granted promotions.

The issue in Civil Appeals was pertaining to the
date of entitlement and not whether as a matter of
fact, somebody was entitled to be placed in the next
grade. In case the applicant has any grievance against

the promotions, he may exercise such options as are open to him in law.

The instant application has nothing to do with the controversy which has come up for consideration in the present Civil Appeal.

This application for intervention is, therefore, rejected.

Pending applications, if any, shall stand disposed of.

SLP(C) No. 9703/2020

Leave to appeal is granted.

Let this appeal be listed alongwith Civil Appeal No.2299 of 2010 before the appropriate Court in the month of September 2021.

(INDU MARWAH)
COURT MASTER (SH)

(VIRENDER SINGH)
BRANCH OFFICER

(SIGNED ORDER IS PLACED ON THE FILE)



GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED CASTES
(A Constitutional body set up under Article 338 of the Constitution of India)

V – 19 /Tele-27/2017 – SSW-I

Minutes of the Hearing held on 16.03.2023

The matter was taken up for hearing on 16.03.2023. Shri Jagadeesh Kumar, Director (HR), C-DAC, Smt. Sunita Verma, Scientist 'G', Meity & Group Coordinator, C-DAC, Shri Mahesh Menon, Sr. HRD Officer, C-DAC, Shri Rishi Prakash, Associate Director & Liasion Officer, C-DAC, Shri Roop Kishor, Director, Meity and the petitioner, Shri Vasant Avaghade attended the hearing.

2. The Commission has received a representation dated 27.12.2017 from Shri Vasant Avaghade, working as a Scientist 'G' in C – DAC, Pune, under the Ministry of Electronics & Information Technology regarding discrimination by denial of promotion.

3. Many hearings have been held in the matter. During the last hearing held on 09.06.2022, the authority present in the hearing informed that in 2010 a new policy from FCS to MCS came into existence. They have sought clarification from DoPT on this issue. The Commission recommended that promotion to Shri Vasant Avaghade be given and ATR be submitted to the Commission within 45 days. In the ATR submitted by the Meity by their letter dated 24.08.2022, it was informed that the matter is under consultation from DoPT and DoLA by Meity. Once a final decision is taken for case of similarly placed officers of Autonomous Bodies also under Meity, an appropriate decision would also be taken by Meity in the case of petitioner, considering the factors such as period of major penalty and others in his case.)

4. The matter was heard in detail on 16.03.2023. It was informed by the representative of the Meity that the Cabinet Secretary is taking a meeting in the matter on 27th March, 2023. The case of the petitioner would be taken up after the decision in that meeting. After hearing both the parties, it is recommended that the case of the promotion of the petitioner to be decided at the earliest. An Action Taken Report to be submitted within 30 days.)


(Subhash Ramnath Pardhi)
Member, NCSC

By Speed Post/Email



Government of India
National Commission for Scheduled Castes
(A Constitutional body set up under Article 338 of the Constitution of India)

File No. V-19/Tele-27/2017/SSW- I ✓

5th Floor, Loknayak Bhawan
Khan Market,
New Delhi-110003
Dated: -24/03/2023 ✓

To,

The Secretary
Department of Personnel & Training (DoP&T)
North Block
New Delhi-110001
Email:-secy_mop@nic.in

The Secretary
Ministry of Electronics & Information Technology
Electronics Niketan, 66 CGO Complexes
Lodhi Road, New Delhi-110003
Email-secretary@meity.gov.in

Sub:- Representation from Shri Vasant Avaghade, RPune regarding discrimination by denial of promotion.

Sir,

Please refer to the subject mentioned above and find enclosed herewith Minutes of hearing held on 16.03.2023 in the Chamber of Hon'ble Member, (Shri Subhash Ramnath Pardhi), National Commission for Scheduled Castes, Headquarter, New Delhi. It is requested that Action Taken Report (ATR) in the matter may please be submitted within the stipulated time.

Encl:- (As above)

Yours faithfully,

R. R. Verma
24/3/23
(R. R. Verma)
Section Officer

Copy to:-

1. Shri Vasant Avaghade, R/o-Visava Heights, Bldg. No.-4, Flats No.-1, Vasava Park, D.P. Road, Aundh, Pune-411007
2. Sr. PPS/PA to Hon'ble Member (SRP), NCSC, New Delhi.

भारत सरकार
Government of India
इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय
Ministry of Electronics & Information Technology
इलेक्ट्रॉनिक्स निकेतन, 6, सी जी ओ कॉम्प्लेक्स, नई दिल्ली-110003
Electronics Niketan, 6, C G O Complex, New Delhi-110003
Website: www.meity.gov.in

REMINDER-I

संख्या 6(1)/2018-ABCD(Pt.III)

No.....

दिनांक 19.07.2023

Date.....

To,

The Director General
C-DAC
Pune

Subject: Representation received from Shri Vasant Avaghade regarding discrimination by denial of promotion - reg.

Sir,

This is in reference to this Ministry's communication of even Number dated 24.05.2023 on the above subject.

2. The information sought from C-DAC is still awaited. It is requested to expedite the same in order to enable this Ministry to take further necessary action in the matter.

Yours faithfully,

V. Rajalakshmi

(V. Rajalakshmi)
Under Secretary
Tel.No. 24301245

जारी किया
ISSUED

Amit Dalal
19/07/2023

