

**COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
ANUSANDHAN BHAWAN, 2, RAFI MARG, NEW DELHI - 110001**

No. 3-4(C)/2016-EI

Dated : 19/12/2018

OFFICE MEMORANDUM

Sub : Promotion of Sh. Kaushik Bhattacharjee, AO, NML to the post of DS/COA in compliance of Order dated 24/10/2018 of Hon'ble CAT, Patna Bench (Circuit Sitting at Ranchi) in OA No. 149/2017 - reg.

A. Sh. Kaushik Bhattacharjee, AO, NML was empaneled for promotion to the post of DS/COA vide CSIR OM No. 3-3(b)/2016-EI dated 31/08/2016 for the Vacancy Year 2016-2017.

B. However, in the light of information received by CSIR regarding a Criminal Case, the then DG, CSIR, in consultation with LA, CSIR, approved deemed sealed cover procedure in r/o Sh. Kaushik Bhattacharjee and the same was notified vide CSIR OM No. 3-4(C)/2016-EI dated 17/07/2017 and he was not promoted to the post of DS/COA.

C. Sh. Kaushik Bhattacharjee challenged his non-promotion to the post of DS/COA before the Hon'ble CAT, Patna Bench (Circuit Sitting at Ranchi) through OA No. 149/2017. The aforesaid OA was disposed of by the Hon'ble CAT vide Order dated 24/10/2018 with a direction to CSIR to reconsider the promotion case of Sh. Kaushik Bhattacharjee. Paras 7 & 8 i.e. the operative part of Hon'ble CAT Order dated 24/10/2018 are as under:-

"7. It is not in dispute that the Trial Court (Court of Hon'ble Additional District Judge, 1st Court, Alipore, West Bengal) has not taken cognizance of criminal case so far. Hence the applicant's case is required to be re-looked by the respondents in view of the aforementioned judgments of the Hon'ble Apex Court.

8. In the conspectus, we dispose of this OA with a direction to the respondents to re-consider the case of the applicant for promotion to the post of Dy. Secretary/Controller of Administration in view of the judgments of the Hon'ble Apex Court mentioned in para 2 of this order. This shall be done within a period of six weeks from the date of receipt of a copy of this order. No order as to costs."

D. In compliance of the above stated Hon'ble CAT Order, DG, CSIR has considered the matter and has been pleased to approve as under:-

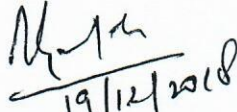
(i) Promotion of Sh. Kauhsik Bhattacharjee, AO, NML, Jamshedpur to the post of DS/COA notionally w.e.f. 02/01/2017 (date of promotion of one of his juniors in the panel dated 31/08/2016 i.e. Sh. Jaswant Rai) with actual monetary benefit from the date of joining the promoted post of DS/COA.

(ii) On his promotion to the post of DS/COA, Sh. Kauhsik Bhattacharjee is posted at NIO, Goa where he is currently under transfer as per CSIR OM No. 3-4(C)/2016-EI dated 23/11/2016. However, Sh. Kauhsik Bhattacharjee may temporarily join the post of COA at NML, Jamshedpur itself and then shift to NIO, Goa immediately.



Contd...2/-

(iii) Sh. Kauhsik Bhattacharjee will also be entitled to consequential seniority as per his position in the panel dated 31/08/2016.


19/12/2018
(Rohit Gupta)
Deputy Secretary

**Sh. Kaushik Bhattacharjee,
Administrative Officer,
National Metallurgical Laboratory,
Jamshedpur – 831007 (Jharkhand)**

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6. Sr. DS (HR), CSIR
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