

**Central Administrative Tribunal  
Principal Bench**

**OA No.2451/2019**

New Delhi, this the 21<sup>st</sup> day of August, 2019

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

1. Yogendra Kumar Sharma  
Son of Shri Kailash Chander Sharma  
Group-B, Aged about 43 years  
Designation-TGT English  
Posted at Jawahar Navodaya Vidyalaya  
Devrala (Bhiwani), Haryana-127029  
Resident of Staff Quarters  
Jawahar Navodaya Vidyalaya  
Devrala (Bhiwani), Haryana-127029.
2. Arun Kumar Gaur  
Son of Shri J.N. Gaur, Aged about 42 years  
Designation-TGT English, Group-B  
Posted at Jawahar Navodaya Vidyalaya  
Jaffarpur Kalan, PO-Ujwa  
New Delhi-110073.  
Resident of Staff Quarters  
Jawahar Navodaya Vidyalaya  
Jaffarpur Kalan, O-Ujwa  
New Delhi-110073.
3. Tara Chand Saini  
Son of Shri Chhanga Ram Saini, Group –B  
Aged about 42 years, Designation-PGT Biology  
Posted at Jawahar Navodaya Vidyalaya  
Village-Naichana, Tehsil-Bawal  
District-Rewari, Haryana-123501  
Resident of Staff Quarters  
Jawahar Navodaya Vidyalaya  
Village – Naichana, Tehsil-Bawal  
District-Rewari, Haryana-123501.
4. Amar Singh, Son of Shri Parsa Ram  
Aged about 44 years, Group-B  
Designation TGT Social Science

Posted at Jawahar Navodaya Vidyalaya  
 Village-Jat Baroda, Tehsil-Gangapur City  
 District-Sawai Madhopur, Rajasthan-322201  
 Resident of Staff Quarters  
 Jawahar Navodaya Vidyalaya  
 Village-JAT Baroda, Tehsil-Gangapur City  
 District-Sawai Madhopur  
 Rajasthan-322201. ...Applicants

(By: Applicant in person)

Vs.

1. The Commissioner  
 Navodaya Vidyalaya Samiti  
 B-15, Institutional Area, Sector-62  
 Noida, District-Gautham Budh Nagar  
 UP-201307.
2. The Secretary  
 Department of School Education & Literacy  
 Ministry of Human Resource Development  
 Shastri Bhawan  
 New Delhi-110001. ...Respondents

(By Advocate: Shri C. Bheemanna)

### **ORDER (ORAL)**

#### **Justice L. Narasimha Reddy:-**

The applicants are teachers in the Jawahar Navodaya Vidyalaya, working at different places. They seem to be aiming at acquiring prominence in their fraternity. This OA is filed with a dozen of prayers which, if granted, would require the complete overhauling of service conditions of the teachers in the

establishment. These changes range from introduction of ACP/MACP Scheme, to implementation of recommendations of 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Pay Commissions and for many other such benefits. For all of the reliefs, they take shelter under Section 23 of the Right of Children to Free and Compulsory Education Act, 2009.

2. We heard Shri Bajrang Vats, learned counsel for the applicants at the stage of admission and perused the entire record.

3. The reliefs claimed in the OA are indeed far reaching. The space does not permit reproduction of the relief portion itself. Taking shelter under Section 23, the applicants want the respondents to introduce the ACP/MACP, implement the recommendations of the 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Pay Commissions and the whole lot of such things. This only shows the over ambition of the applicants and lack of discipline on their part. What is relied upon is a representation said to have been made by All India Navodaya Staff Association on 10.02.2017, that too, straight away to the Union Minister for Human Resource and Development. By themselves, the applicants did not make any representation nor did

they ventilate their grievance at any stage. Their indiscipline is not only vis-a-vis the employer but also the Association, of which they are members. On the one hand, they claim to be members of the Staff Association and on the other, they have filed this OA on their own accord.

4. The OA is not maintainable for the reason that the reliefs claimed in it are unconnected with each other, e.g., introduction of ACP/MACP have nothing to do with the implementation of the 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Pay Commissions' recommendations. Various other reliefs are totally disconnected with each other. The OA ought not to have been numbered at all.

5. Be that as it may, in case the applicants have any individual grievance, on any particular aspect, it shall be open to them to file a representation to the concerned authority through proper channel. If they make any effort to submit the representation to higher authority, other than through proper channel, that shall be treated as an act of indiscipline, by itself.

6. The OA is disposed of, leaving it open to the applicants to file representation on specific and limited aspects to the concerned authority, through proper channel. As and when such a representation is made, it shall be dealt with, in accordance with law, within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

**(Mohd. Jamshed)**  
**Member(A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/vb/