

CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH

OA No.2703/2002

MA No.2291/2002

New Delhi, this the 17th day of ^{October,} 2002

Hon'ble Shri M.P. Singh, Member (A)

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1. Shri S.R. Kataria
S/o Shri Bhola Ram
R/o 1702, Delhi Administration,
Flats, Gulabi Bagh,
Delhi.

Presently working as A.D.M.
(North-West District)
Delhi.

2. Ms. Shashi Kaushal
D/o Shri M.K. Kaushal
R/o 1665, Delhi Administration
Flats, Gulabi Bagh,
Delhi.

Presently working as Assistant
Commissioner (Sales Tax)
Govt. of NCT of Delhi.
New Delhi.

3. Shri Sanjay Gihar,
S/o Shri Radhey Shyam,
R/o L-85, IInd Floor,
Malviya Nagar,
New Delhi.

Presently working as Joint
Assessor & Collector
M.C.D. Delhi.

4. Shri G.L. Meena,
R/o 2093, Delhi Administration,
Flats, Gulabi Bagh,
Delhi.

Presently working as Deputy
Secretary (Home)
Govt. of NCT of Delhi,
New Delhi.

5. Shri Kuldeep Pakad, /
S/o Shri Joria Meena,
R/o 2079, Type-IV,
Delhi Administration Flats,
Gulabi Bagh, Delhi.

Presently posted as a Assistant
Commissioner (Fire),
Delhi Fire Service,
Govt. of NCT of Delhi.
New Delhi.

.....Applicants

(By Advocate : Shri S.K. Gupta)



(3)

VERSUS

1. Union of India,
Through Secretary
Ministry of Personnel & Training,
Department of Personnel, Pension and
Training,
North Block,
New Delhi.

2. Secretary
Ministry of Home Affairs,
Govt. of India,
North Block,
New Delhi.

3. Secretary,
Union Public Service Commission
Dhoulpur House, Shahjahan Road,
New Delhi.

... Officer,
... Service,
...
... UCI.

.... Respondents

ORDER (ORAL)

Shri M.P. Singh, Member (A) :

MA 2291/2002

MA 2291/2002 filed by the applicants for joining together in a single application is allowed.

OA 2703/2002

Applicants, ² ~~who are~~ five in number, who are working as DANICS officers, were promoted on ad hoc basis to the selection grade in the year 1999. The Govt of India, Department of Personnel and Training have issued instructions vide their letter dated 2.7.1997 for reservation for the members of SC/ST communities for promotion on the basis of post-based rosters instead of vacancy based rosters. According to the applicants, respondents have not taken any action

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(3)

(4)

to implement the said instructions and have not considered the cases of the applicants by following these instructions. In the meantime, as per the Recruitment Rules, members of the DANICS cadre, who were working in the grade of selection grade with five years service, have become eligible for next higher grade of Junior Administrative Grade (in short 'JAG'). According to the applicants, they have also become eligible for promotion to the post of JAG and come within the consideration zone at ^{the relevant} that point of time ² promotion on the basis of post-based reservation, as per the aforesaid circular of DOP&T. It is stated by them that DPC is likely to be held in the UPSC on 18.10.2002 for promotion to the post of JAG and the applicants are not being considered for promotion to the posts of JAG and that the respondents have violated the aforesaid instructions of the DOP&T without ^{following} mentioning the reservation on post-based roster. With regard to aforesaid claim, the applicants have preferred their representations to the respondents dated 20.8.2002 (Annexure A-12 (Colly.)), but the same have not been disposed of by the respondents till date.

2. Having regard to the aforesaid, I feel that the ends of justice would be duly met, even without issuing notice, by giving a direction to the respondents to decide the aforesaid representations of the applicants and also treating this OA as a part of their representation by passing a reasoned and speaking order within a period of two months from the date of receipt of a certified copy of this order. I do so

with

(3)

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accordingly. Any promotion made during this period to the post of JAG, however, will be subject to the outcome of the representations preferred by the applicants.

3. Present OA is disposed of in the aforestated terms.

Issue DASTI.


(M.P. Singh)
Member (A)

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