

9 (2)

Central Administrative Tribunal, Principal Bench

Original Application No.3008 of 2001

New Delhi, this the 6th day of November, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman  
Hon'ble Mr. S.A.T. Rizvi, Member (A)

Shri Sridhar Prakash  
DPA-B, NCRB (MHA)  
East Block-7, R.K. Puram  
New Delhi-66

R/o 15/293, Lodhi Colony,  
New Delhi-3

- Applicant

(By Advocate: Shri V.S.R. Krishna)

Versus

1. Union of India, through  
The Secretary  
Ministry of Home Affairs,  
Govt. of India, North Block,  
New Delhi.

2. The Director  
National Crime Records Bureau  
East Block-7, R.K. Puram  
New Delhi-66

- Respondents

O R D E R (ORAL)

By Hon'ble Mr. S.A.T. Rizvi, Member (A)

The applicant, an Inspector/Data Processing Assistant (in short 'DPA') Grade-B prays for a direction to the respondent authority to consider his claim for promotion to the post of System Analyst Programmer (in short 'SAP') earlier designated as Junior Staff Officer (in short 'JSO'), on regular basis. Earlier he had come up before this Tribunal in OA No.2832/97 when his juniors were promoted on ad-hoc basis and his claim for ad-hoc promotion had been ignored. The Tribunal by their order of 20.7.2000, <sup>had</sup> directed the respondents to consider the applicant's claim for ad-hoc promotion to the aforesaid post with effect from 13.8.97. In compliance of the aforesaid order, the applicant was promoted to the post of

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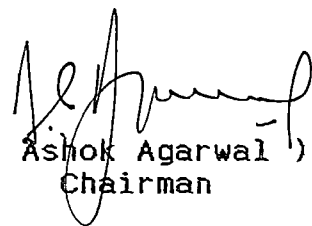
SAP/JSO on ad-hoc basis and the ad-hoc arrangement lasted until 1999. He has been reverted thereafter to the post of Inspector/DPA Grade 'B'. His juniors have also been similarly reverted.

2. The learned counsel appearing on behalf of the applicant contends that one regular post of SAP/JSO is currently available in the respondents' set up and, being the seniormost, the applicant has a claim in the matter and he deserves to be considered for promotion. The aforesaid post has been lying vacant since 1999. According to the learned counsel, the applicant is fully qualified for promotion to the aforesaid post both in terms of the existing recruitment rules governing the post of JSO as well as in terms of the model rules framed, though not yet implemented, in respect of the post of SAP.

3. In the aforestated circumstances, we find that interests of justice will be duly met in the present case by directing the respondent authority to treat the present OA as a representation made on behalf of the applicant and to consider the claim of the applicant in accordance with the relevant recruitment rules and, if found necessary, to hold a DPC expeditiously and in any event within a period of three months from the date of receipt of a copy of this order. Respondents are further directed to pass a speaking and a reasoned order within the aforesaid period. ~~prescribed.~~ Present OA is disposed of in the aforestated terms.



( S.A.T. Rizvi )  
Member (A)



( Ashok Agarwal )  
Chairman