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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 940/2001

New Delhi this the 18th day of April, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI S.A.T.RIZVI, MEMBER (A)

Shri O.P.Gupta
S/o Late Shri Chander Bhan
R/o Anupam House
Ram Ganj (Near Mor Kothi)
Railway Road
Hapur-245101 (U.P.).

... Applicant

(By Advocate Sh.M.K.Gupta)

-versus-

1. Union of India
Through its Secretary
Ministry of Consumer Affairs, Food
& Public Distribution
Department of Food & Public Distribution
Krishi Bhawan
New Delhi.

2. Indian Grain Storage Management &
Research Institute
Through its Director
Ministry of Consumer Affairs, Food
& Public Distribution
Deptt. of Food & Public Distribution
Post Box No.10
Hapur-245101.

3. Dr. J.L.Srivastava, Director
Indian Grain Storage Management &
Research Institute
Post Box No.10
Hapur-245101.

... Respondents

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

By an Office Memorandum of 18.1.2000, following
adverse remarks which are recorded in the ACR of the
applicant for the year 1998-99 were communicated to
him:-

Ref

"(i) The achievements vs. Targets mentioned
in Part-II of the ACR have not been
fully agreed to as he did not pay
attention to Project Work. He was

(3)

having only one projeect in Haryana and Bihar but he completed only the work in respect of Haryana and could not complete the remaining portion of the same single project in respect of Bihar inspite of being asked to do so vide D.O. letter No. 1(3)/Hapur/98-99/3499-3500 dated 23.1.98 and O.M.No. 1(3)/Hapur/Coord/ 98-99/5587-89 dated 5.2.99.

(ii) His attitude to work is not satisfactory.

(iii) The reporting authority does not think that Shri O.P. Gupta can handle unforeseen situations of his own and can take additional responsibility when he could not complete a single project of the year."

2. Applicant by his representations of 23.2.2000 and 22.5.2000, Annexure A-2 collectively sought expunction of the aforesaid adverse remarks. By two comumincations of 31.10.2000 and 23.1.2001 aforesaid representations have been rejected. Applicant, in the meanwhile, retired on superannuation on 31.10.2000. According to the applicant, he has been denied financial upgradation under the ACP scheme on account of the aforesaid adverse remarks in his ACR.

3. We have perused the impugned Office Memoranda of 31.10.2000 and 23.1.2001 and we find that no reasons what-so-ever have been assigned for rejecting the representations of the applicant. In the circumstances, we find that the interests of justice will be duly met by disposing of the present OA at this stage itself even without issuance of notices with a direction to the respondents to support the aforesaid orders by assigning reasons and communicate the same to the applicant expeditiously

and in any event within a period of 3 months from the date of service of a copy of this order. We direct accordingly.

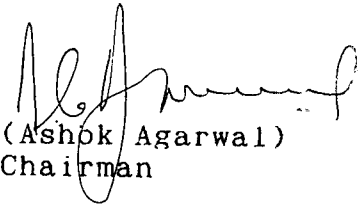
4. It goes without saying that it will be open to the applicant, in case he is dissatisfied with the reasons to be furnished, to seek his remedy in accordance with law.

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



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

/sns/



(Ashok Agarwal)
Chairman