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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-1955/98

New Delhi this the 30th day of August, 1999.

Hon'ble Smt. Lakshmi Swaminathan, Member(J)
Hon'ble Sh. S.P. Biswas, Member(A)

Sh. S.N. Pandey,
S/o late Sh. R.M. Shastri,
R/o C-8/8305, Vasant Kunj,
New Delhi-70. Applicant

(By Sh. S.S. Tiwari, Advocate)

versus

1. Union of India through
Secretary,
Ministry of Food Processing Industries,
Panchsheel Bhawan,
Khel Gaon Marg,
New Delhi.

2. Secretary,
Dept. of Industrial Policy
& Promotion, Ministry of
Industry, Udyog Bhawan,
New Delhi. Respondents

(By Sh. A.K. Bhardwaj, Advocate through proxy counsel
Sh. M.K. Bhardwaj)

ORDER(ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member(J)

This application has been filed by the applicant in which he has stated that it is not made against any order, as the respondents have not given ^a reply to his representation dated 10.09.97. Hence this O.A.

2. The learned counsel for the applicant has drawn our attention to the representation made by the applicant dated 10.09.97 to the Secretary, Ministry of Food Processing Industries - R-1. One of the main grievances of the applicant is that the employees in the erstwhile Directorate General of Technical Development ('DGTD' for short) who were appointed in other Ministries

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have been promoted while R-1 has ignored the claim of the applicant for promotion. In this connection, the learned counsel has submitted that one of his colleagues working in the same Ministry by letter dated 20.07.1994 of the Under Secretary was informed that they propose to discuss with the user Ministries/Departments the problems, if any, being faced by the Technical Officers transferred to them, in career related issues like job satisfaction, seniority etc. with a view to finding solutions, if possible, jointly for persons, like the applicant herein, who were earlier working as Technical officers in the erstwhile DGTD. Learned counsel has also submitted that similar assurance was given to him by other persons but from 1994 the respondents, - in particular Respondent 2, have not taken any action towards this. He has further drawn our attention to the O.M. dated 17.06.1999 issued by R-2. Paras 2 and 3 of this OM read as follows:-

"2. In order to examine the above recommendations of the 5th Pay Commission, a High Level Committee has been constituted in this Department. The Committee, in its first meeting, has inter alia, directed that the information in respect of the present cadre structure of technical officers may be obtained from the recipient Ministries/Departments where technical officers of the erstwhile DGTD were transferred at the time of closure of DGTD.

3. Deptt. of Chemicals & Petro Chemicals etc. are therefore, requested that the information in respect of the present cadre structure of technical officers (i.e. ADO, DO, ATA and IA) working in their Ministry/Department may please be made available urgently to enable this Department to implement the recommendations of the 5th Pay Commission."

J.S.

3. It is also noticed that necessary information has been called for by R-2 from various Ministries, including R-1 in this O.A. We further notice that a High Level Committee has been constituted by R-2 as aforementioned. Both the learned counsel, however, are unable to say what further progress, if any, has been made by this High Level Committee.

4. Applicant has prayed for a direction to the respondents to implement action as per OM dated 17.6.99 (referred to above) and for a further direction to the respondents to consider his case for promotion in the user Ministry as has been done in the case of Shri P.K. Jain, who has been given ad hoc promotion in the Deptt. of Industrial Policy & Promotion, Ministry of Industries, by an order dated 5.8.97.

5. In the light of what is stated above and the action taken by R-2 as seen from OM dated 17.6.99, we dispose of this O.A. with the following directions:-

Respondent No.1 is directed to furnish the necessary information, if not already furnished, to Respondent No.2 in the matter of cadre restructuring, promotional avenues and other career related issues as raised by the applicant in his representation dated 10.9.97. The respondents to take appropriate decision in the matter with

intimation to the applicant, as early as possible, and in any case within six months from the date of receipt of a copy of this order. No order as to costs.

S. P. Biswas
(S. P. Biswas)
Member(A)

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member(J)

/gtv/