

Central Administrative Tribunal
Principal Bench: New Delhi

(2)

OA 623/97

New Delhi this the 19th day of March 1997.

Hon'ble Mr N. Sahu, Member (A)

S.R. Hasan
S/o Late Shri S.A. Hasan
Additional Commissioner
R/o CRD-II/6
Pandara Park
New Delhi-110 003.

...Applicant

(In person)

Versus

Union of India through

1. Secretary (Revenue)
Ministry of Finance
New Delhi
2. Chairman
Central Board of Excise & Customs
New Delhi.
3. Shri B.C.Rastogi, Ex-Chairman
Central Board of Excise & Customs
New Delhi.
R/o C-II/5 Bapa Nagar
New Delhi.
4. Shri G.S. Maingi
Chief Commissioner
Customs & Central Excise
Hyderabad

...Respondents

(By advocate:

O R D E R (oral)

Hon'ble Mr N. Sahu, Member (A)

In this OA, the prayer is for expunction of the adverse remarks in the entire Annual Confidential Reports for the year 1993-94 and setting aside the same. This application under section 19 coming up for admission was filed on 12th March 1997. A communication regarding the adverse entries in the Annual Confidential Report for the year 1993-94 was sent to the applicant on 26.10.95 which he received on 2.11.95. Against this, he had sent a representation addressed to the Secretary to

Govt. of India, Ministry of Finance - Respondent No.1. This representation has not been disposed of so far inspite of a reminder addressed to him by the applicant dated 27.11.96. As this representation was not disposed of even after waiting for a considerable period, the applicant has filed this application.

2. This application can be disposed of by issuing a simple direction to Respondent Nos. 1 & 2, Secretary, Revenue, Ministry of Finance and Chairman, CB & EC, New Delhi. The applicant apprehends that a DPC for Commissioners of Central Excise & Customs is likely to be held in a very short time and in case his grievance against the adverse remarks is not considered and disposed of, his interests will be adversely affected. The applicant was working as Deputy Director of Publications. His confidential report was initiated by the Director of Publications who was of the rank of Commissioner of Excise & Customs. It was reviewed by the Member, Central Board of Excise & Customs. It is appropriate that his representation should be disposed of by the Chairman, CB & EC to whom, according to the applicant, a copy of the representation had been addressed. I accordingly direct Respondent No.2, the Chairman, CB & EC to consider the representation of the applicant addressed to the Secretary, with *in consultation with Rep. No 1* a copy to him, dispose of the same *and communicate the outcome* within a period of four weeks from the date of receipt of a copy of this order. The OA is disposed of at the admission stage.

Narasingh Sahu

(N. Sahu)
Member (A)