

Central Administrative Tribunal
Principal Bench, N.Delhi

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D.A. No. 2217/94

(5)

New Delhi, this the 9th Day of May, 1995.

HON'BLE SHRI J.P. SHARMA, MEMBER(J)
HON'BLE SHRI K.MUTHUKUMAR, MEMBER(A)

M.D. Pandey
s/o Shri Purshottam Pandey,
Aged about 44 years,
R/o village Biharipur,
(C/o Shri Lila Dhar Pandey),
Gali No. 3, Near C.R.P.F. Camp,
New Delhi. and employed as

Coed in the Intelligence Bureau,
Ministry of Home Affairs,
Government of India
New Delhi.

Applicant

(By Shri B.B.Raval, Advocate)

Versus

Union of India through

1. The Secretary,
Ministry of Home Affairs,
Govt. of India, North Block,
New Delhi.
2. The Director,
Intelligence Bureau,
Ministry of Home Affairs,
Govt. of India,
North Block,
New Delhi.
3. The Deputy Director,
Subsidiary Intelligence Bureau,
Ministry of Home Affairs, Lucknow.

Respondents.

(By Shri M.K.Gupta, Advocate)

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JUDGEMENT (ORAL)

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(Delivered by Hon'ble Sh. J.P.Sharma, Member (J))

The applicant is employed as Cook in Intelligence Bureau, Ministry of Home Affairs and is aggrieved by the order dated 13th July, 1993 issued by the Assistant Director, S.I.B. and order dated 4th April, 1994 issued by the Assistant Director, I.B., New Delhi. The applicant has prayed for the grant of the relief that the direction be issued to the respondents to promote the applicant to the post of Security Assistant from the date his junior has been promoted and further to promote him to the rank of Jr. Intelligence Officer Grade-II(G) from the date his batchmates/juniors have been promoted and the consequential benefits thereof be also given to the applicant after fixing his salary on par with his batchmates and cost of the application be also awarded.

On notice, the respondents filed the reply and in para 4.4 it is stated that "it is admitted that he was allowed to appear in the Darbar of Director, Intelligence Bureau (DIB) in which he was told about the integrated cadre restructuring proposal sent to the Govt. for conversion of Cooks to be appointed as SA (non matric). This proposal is still pending for approval of the Govt. of India. However, no assurance, as

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claimed by the applicant in the application, was given by any of the officer. No circular was issued to all the SIBX as stated by the applicant. It was a TPM to some of the SIBX to consider the appointment of eligible cooks as SAs".

Shri B.B.Raval appeared before the pre-lunch session and he only stated that in view of the averments made in para 4.4. of the reply, direction be issued to the respondents to expedite the consideration of the matter. Though the applicant has filed the rejoinder and the pleadings are complete and it is also an admitted matter but in view of the consensus between the counsel of the parties that the respondents will consider the matter as averred in para 4.4 of the counter as quoted above, the application is disposed of accordingly with liberty to the applicant to assail the grievance, if any survives, in a fresh proceeding.

Shri M.K.Gupta counsel for the respondents appeared after lunch and he has conceded to the fact that the respondents are considering the matter and that is pending with Govt. of India regarding restructuring of various cadres.

In view of the above facts and circumstances, we dispose of the application with a direction to the respondents to consider the matter of the applicant as averred in para

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4.4 of the counter for integrated cadre restructuring

for which a proposal is already pending with the Govt.

for conversion of Cooks as S.A. (non matric). The respondents

to take decision expeditiously within a period of four

months from the date of receipt of the copy of this order/

judgement. Cost on parties.



(K. MUTHUKUMAR)
MEMBER (A)



(J.P. SHARMA)
MEMBER (J)

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