

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

OA.No.1558/94

Dated this the 2nd Day of November, 1995

Hon'ble Shri S.R. Adige, Member(A)

Hon'ble Dr. A.Vedavalli, Member(J)

B.C. Kandpal,  
S/o Shri M.C. Kandpal,  
Aged 40 years,  
R/o 4A, Company Bagh Govt. Flats,  
Jammu.

...Applicant.

By Advocate: Shri A.K. Behera.

versus

1. Central Social Welfare Board,  
through its  
Executive Director,  
Samaj Kalyan Bhavan,  
B-12, Institutional Area,  
South I.I.T,  
New Delhi 110 016.
2. Shri M.N. Ansari,  
Asst. Project Officer,  
U.P. State Social Advisory Board,  
Nari Kala Mandir,  
6, Pandit Nagar, Lucknow.
3. Ms. S.K. Bhatnagar,  
Dy. Director (S.B.)  
(Admn.) Central Social Welfare Board,  
Samaj Kalyan Bhawan,  
B-12 Institutional Area,  
South I.I.T,  
New Delhi 110 016.

...Respondents

By Advocate: Shri P.H. Ramchandani.

O R D E R (Oral)

(By Hon'ble Shri S.R. Adige).

In this application, Shri B.C. Kandpal, Welfare Officer, Central Social Welfare Board has prayed for a direction to quash the DPC's recommendations dated 11.5.92 <sup>These 4</sup> and subsequent thereto, and to quash the orders dated 3.8.93 and 16.1.94 and to promote him to the grade

...2...

18

of Assistant Project Officer w.e.f. the date his immediate junior Shri Mohd. M. Ansari was promoted to the said grade, together with all consequential benefits.

2. During the course of hearing of this case on the earlier dates, it has been brought to our notice that the ACR's of the applicant for the years 1989-90 and 1990-91 were <sup>missing and hence</sup> not available before the DPC when they met and, under the circumstances, the DPC <sup>might</sup> ~~could~~ not have been in a position to make a comprehensive evaluation of the applicant's work and conduct while considering his case for promotion.
3. Accordingly, we <sup>had</sup> directed the respondents to reconstruct the applicant's missing ACRs for the years 1989-90 and 1990-91.
4. The learned counsel for the respondents brings to our notice that these directions have since been complied with. He further states upon instructions from <sup>the</sup> ~~the~~ departmental representative Mrs. Promila Chopra, Deputy Director, who is also present in the Court that the respondents would have no objection in convening a review DPC with reference to the DPC held on 11.5.92 and reconsider the applicant's case in the light of the missing ACRs for the years 1989-90 and 1990-91.
5. Under the circumstances, we dispose of this OA with a direction to the respondents to convene <sup>the</sup> ~~a~~ review DPC within 45 days from the date of receipt of a copy of this judgement, and reconsider the applicant's case, after taking into account the ACRs for the years 1989-90 and 1990-91 also.
6. After the DPC makes its recommendations, the respondents should take a final decision thereon within 2 weeks <sup>of its receipt</sup> ~~thereafter~~. In the event

19

that the applicant is promoted, such promotion will take effect from the date of promotion of his immediate junior Shri Mohd. N. Ansari and he will be entitled to all consequential benefits. No costs.

A. Veda Valli  
(DR. A. VEDAVALLI)  
MEMBER(J)

S. R. Adige  
(S.R. ADIGE)  
MEMBER(A)

/kam/