

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA. No. 1558/94

(X)

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 Bhawan,
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.

ORDER (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 and ^{These 1} subsequent thereto, and to quash the orders dated 3.8.93 and 16.1.94 and to promote him to the grade

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of Assistant Project Officer w.e.f. the date his immediate junior
Shri Mohd. N. 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 ~~not~~ available before the DPC
when they met and, under the circumstances, the DPC ~~might~~ 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 ~~had~~ direct 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 ~~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 ~~the~~ 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 ~~thereafter~~ ^{of its receipt}. In the event

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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 Vedavalli

(DR. A. VEDAVALLI)
MEMBER(J)

/kam/

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