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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-1097/2000
MA-2471/2000

New Delhi this the 4th day of December, 2000.

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)
Hon'ble Dr. A. Vedavalli, Member(J)

Sh. V.S. Rawat,
S/o late Sh. T.S. Rawat,
R/o 58-3C, Sector-II,
Kalibari Marg,
New Delhi.

Applicant

(through Sh. KNR Pillai, Advocate)

Versus

1. Union of India through
the Secretary,
Ministry of Information &
Broadcasting, Shastri Bhawan,
New Delhi.

2. The Director,
Publications Division,
Patiala House,
New Delhi.

... Respondents

(through Sh. VSR Krishna, Advocate)

ORDER(ORAL)

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)

Applicant impugns respondents order dated 02.06.2000 reverting him from the post of Assistant Business Manager (ABM for short) to the post of Business Executive and he seeks a direction to respondents to hold the DPC at an early date to consider his suitability for regular promotion as ABM against an existing vacancy.

2. We have heard the learned counsel for both the parties.

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3. Admittedly applicant was promoted as ABM on ad hoc basis in 1996 and has been continuing as such since then. It appears that the SIU had made certain recommendations for reduction in the posts of ABM, but the respondents organisation in their letter dated 17.11.2000 addressed to the Secretary, U.P.S.C., a copy of which has been taken on record, has advised that till the posts are created/abolished as a result of ~~that~~ ^{These recommendations,} the status quo should be maintained as regards the number of sanctioned posts. That letter indicates that there are 7 posts of ABM, and we are informed that 3 of them are to be filled through direct recruitment and 4 by promotion.

4. We are informed that against the 4 posts to be filled by promotion, there are 3 regular incumbents and applicant is occupying the 4th promotional post on ad hoc basis.

5. By the impugned letter dated 02.06.2000, applicant as well as Sh. S.L. Kothari, ABM, have been reverted to their substantive post as Business Executive, but applicant's reversion has been stayed vide interim order dated 06.06.2000.

6. There are Government instructions to the effect that, DPC should be held on annual basis, and there are no material on record to indicate that respondents have held a DPC for promotion to the post of ABM within the last one year. In fact Shri Pillai states that the respondents have not held the DPC since 1996.

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7. In view of the above, this OA succeeds and is allowed to the extent that respondents are directed to hold the DPC for regular promotion to the post of ABM as expeditiously as possible, and preferably within three months from the date of receipt of a copy of this order. Till such time as DPC meeting is held, and applicant's case for regular promotion as ABM is considered, respondents should allow the applicant to continue as ABM on ad hoc basis.

No costs.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

S. R. Adige
(S. R. Adige)
Vice-Chairman (A)

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