



**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.405/2021

This the 22nd day of February, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Ms. Babita Gulia, aged about 41 years,
W/o Sh. Vipender Mann,
R/o House NO. 373, Sector 21 B,
Faridabad, Haryana-121001.

Employed as:
Senior Scientific Officer Grade-II,
Ballistic Division,
Central Forensic Science Laboratory,
CBI, New Delhi – 110003.

...Applicant

(By Advocate: Mr. D. S. Chaudhary)

VERSUS

1. Union of India,
Through the Secretary-cum-Chairman,
Ministry of Personnel, Public Grievances & Pensions,
North Block, New Delhi – 110001.
2. Union Public Service Commission,
Through its Secretary,
Dholpur House, Shahjahan Road,
New Delhi – 110069.
3. The Director,
Central Forensic Science Laboratory,
Central Bureau of Investigation,
Block-IV, CGO Complex,
Lodhi Road, New Delhi.

...Respondents

(By Advocate:Mr. Ranjan Tyagi)



ORDER (Oral)

Justice L. Narasimha Reddy:

The applicant was appointed as Scientific Assistant in the year 2003 in the Central Forensic Science Laboratory (CFSL), the third respondent. It is stated that she became eligible to be considered for promotion as SSO Grade-I, in the year 2015 and for the subsequent years under the Flexible Complimenting Scheme (FCS), but the selection was made only in the year 2020 by the UPSC. She contends that, the selection committee awarded only 84 marks to her and thereby she was not promoted. Another grievance of the applicant is that the respondents have not taken any steps to convene a review DPC for FCS for regular promotion to the post of SSO Grade-I, referable to the year 2014.

2. We heard Shri D.S. Chaudhary, learned counsel for the applicant and Shri Ranjan Tyagi, learned counsel for the respondents.

3. The applicant sought a relief in the form of a direction to conduct review DPC for her promotion under FCS for the years 2014, 2015 and 2016. It is not in dispute that the promotions under the FCS did not take place in those years and a combined exercise took place in the year 2020. Admittedly the applicant was not found fit. The question of



showing the FCS of the applicant against a particular year, would arise if only she was found fit by the DPC. Once she did not qualify, the year hardly matters.

4. So far as the question of regular promotion to the post of SSO Grade – I is concerned, the respondents need to consider the feasibility of convening the review DPC within three months from the date of receipt of a copy of this order. If any impediment exists for the convening of the DPC, a reasoned order shall be passed and communicated to the applicant within that period.

5. The OA is accordingly disposed of. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/rk/ns/ankit/sd