

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00198/2021

Jabalpur, this Monday, the 15th day of March, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



N L Nagar
 S/o Shri Ramsharan Nagar
 Inspector of Income Tax (Retd.)
 Aged about 65 years
 R/o House No.MIG 135
 Bharhut Nagar Colony
 Satna (M.P.) 485001
 Mobile 8964949584
 Email nonelalnagar@gmail.com
 (By Advocate –Shri Sapan Usrethe)

-Applicant

V e r s u s

1. Union of India,
 Through Secretary
 Ministry of Finance
 North Block New Delhi 110001

2. Chairman Board of Direct Taxes
 Ministry of Finance
 North Block
 New Delhi 110001

3. Principal
 Chief Commissioner of Income Tax (CCA)
 (MP& CG) Central Revenue Bldg 48 Areara Hills
 Hoshangabad Road Bhopal (M.P.) 462011

4. Principal Commissioner of Income Tax
 City Centre Aayakar Bhawan,
 Gwalior (M.P.) 474011

- Respondents

O R D E R (Oral)

By Ramesh Singh Thakur, JM:-

Heard.

2. This Original Application has been filed against the action of the respondents in not deciding the case of applicant for promotion in appropriate category.

3. From the pleadings the case of the applicant is that the applicant was appointed as Lower Division Clerk in Income Tax Department on 15.12.1979. The applicant passed the departmental examination in the year 1994, Inspector of Income Tax in the year 1997 and Income Tax Officer in the year 2008. The applicant was not given any benefit of reservation under any category. The applicant retired on attaining the age of superannuation on 31.03.2016 as Inspector Income Tax. The respondents have issued letter dated 26.05.2014 (Annexure A/3) asking certified copy of caste certificate in Scheduled Caste category. The applicant obtained information under the Right to Information Act 2005 that Scheduled Caste Department Chhatarpur who provided Scheduled Caste at Sl. No.41. In Census 2001 'Nat' caste is listed at Sl. No.41 in the list of Scheduled Caste and Scheduled Tribe of Madhya Pradesh. The applicant had obtained a "Punchanama Eevam Sijra Khandan" from Sarpunch from Gram Panchayat Badagaon Distt.



Panna in which he was shown as the first son of Shri Ramsharan Nat. The name of the applicant is entered as Nonelal Nat. The applicant obtained a revised caste certificate from Devendra Nagar Tahsil Distt. Panna through Sarpunch Panchayat Badagaon after completing all the formalities. The applicant filed representation dated 31.01.2018 (Annexure A/4) before the respondents to consider his case for promotion in reserved category as per new amendment followed by reminder dated 20.07.2018 (Annexure A/6). The respondents thereafter asked the applicant to submit detail/clarification vide letter dated 14.01.2020 (Annexure A/7). The applicant filed all the details to the respondents vide letter dated 19.02.2020 (Annexure A/8) but no action has been taken by the respondent-department.

4. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide Annexure A/8 dated 19.02.2020 in a time bound manner.

5. We have considered the matter and we are of the view that the natural justice will be met if the competent authority of the respondents are directed to decide the letter dated 19.02.2020 (Annexure A/8) in a time bound manner.



6. Resultantly, the respondent No.3 is directed to decide the applicant's letter dated 19.02.2020 (Annexure A/8) within a period of eight (08) weeks' after receiving the copy of this order.

7. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in Annexure A/8.

8. With these observations, this Original Application is disposed of at admission stage itself.

9. The applicant shall provide the copy of this order along with copy of O.A. to the respondents.

(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

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