

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

LIBRARY

O.A./350/894/2020

Date of Order: 19.10.2020

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. Tarun Shridhar, Administrative Member



Shyamal Sarma, S/o Nepal Sarma, working as Senior Audit Officer and Residing at A-11/12, Anandanagar, South Behala Board, Kolkata – 700061.

..... Applicant

- V E R S U S -

1. Union of India, through the Secretary to Comptroller and Auditor General of India, Pocket -9 Deen Dayal Upadhyay Marg, New Delhi – 110024.

2. Deputy Comptroller & Auditor General and Chairman Audit Board (Coml.) office of the Comptroller and Auditor General of India, Pocket -9 Deen Dayal Upadhyay Marg, New Delhi – 110024.

3. The Director General of Audit (Mines), 1 Council House Street, Kolkata – 700001.

4. Deputy Director, O/o the Director General of Audit (Mines), 1 Council House Street, Kolkata – 700001.

..... Respondents

For the Applicants : Mr. N.Roy, Counsel

For the Respondents : Mr. S.Panda, Counsel

O R D E R (Oral)

Tarun Shridhar, Administrative Member:

The applicant, who is working as Sr. Audit Officer under Director General of Audit (Mines), Kolkata, is aggrieved with certain adverse remarks in his Annual

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Performance Assessment Report (APAR) for the year 2018-19 and termed them as vindictive and arbitrary in nature. He has also pointed out that prior to this period he has consistently been adjudged as "outstanding" besides comments on his qualities of sincerity and hard work.



2. The applicant had submitted a representation in November, 2019 for upgradation of his APAR to the Director General of Audit and subsequently in January, 2020 to the Deputy Comptroller and Auditor General, O/o CAG in New Delhi. His representation dated 01.11.2019 has been rejected by Respondent No.3, i.e. Director General of Commercial Audit, Kolkata, vide order dated 11.02.2020 (Annexure-A/4).

3. Although, the said order in its title mentions "Reasoned and Speaking Order of the Competent Authority", we find that the order is terse and cryptic and does not spell out the reasons for either the remarks in the APAR or rejection of the representation.

At this stage, it would be appropriate to dispose of this O.A. by way of a direction to the respondents that the representation of the applicant be considered afresh by the appropriate competent authority in a fair and objective manner and disposed of by way of a well reasoned and speaking order within a period of four weeks from the date of receipt of a copy of this order.

4. The O.A. stands disposed of with the above directions. No costs.

(Tarun Shridhar)
Member (A)

(Bidisha Banerjee)
Member(J)