

Central Administrative Tribunal
Principal Bench

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O.A. No. 1422/90

New Delhi, this the 7th day of March, 1996

Hon'ble Shri A.V. Haridasan, Vice-Chairman (J)
Hon'ble Shri R.K. Ahooja, Member (A)

Gurdip Singh,
C-10-96,
Yamuna Vihar,
Delhi.

...Applicant

(In person)

Versus

Union of India through

1. The Secretary,
Ministry of Welfare,
Shastri Bhawan,
New Delhi.

2. The Deputy Secretary (Admn.),
Ministry of Welfare,
Shastri Bhawan,
New Delhi.

...Respondents

(By Shri K.C.D. Gangwani, Advocate)

O R D E R (ORAL)

By Hon'ble Shri R.K. Ahooja, Member (A)

The applicant is aggrieved that he had been taken on the strength of Ministry of Welfare from his parent cadre without specifying the post and pay & allowances to be drawn by him nor he was informed about the post to which he was appointed, seniority allocated to him in the cadre strength and no intimation was given to him regarding the reasons for his posting to the Ministry of Welfare. He has

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enumerated a few other grievances regarding the complaints which he had made for initiating enquiries into the conduct and behaviour of certain Government servants in the Ministry and also as regards the deduction of income-tax from his pay bills which, he alleges, had not been deposited with the Income-tax Department. He is also aggrieved that his office has not shown him the pay bills for April, 1990 and earlier to enable him to ascertain the amount of income-tax deducted by the office.

2. We have heard the applicant in person and Shri K.C.D. Gangwani counsel for the respondents.

3. As we could understand the case of the applicant is that he had been appointed to the C.S.S. as Grade-II Stenographer in 1965 in the Ministry of Home Affairs. He was later on posted in the Ministry of Welfare w.e.f. 15th October, 1987. The applicant alleges that no specific order was ever issued allocating him to the Ministry of Welfare nor was it specified as to which post he was appointed nor his seniority was determined in the Ministry of Welfare. He has, therefore, sought the relief that he should be appointed in a post as per cadre rules in the Government of India - Civil list which existed on 1.10.1962.

4. Learned counsel for the respondents submits that the points raised by the applicant in regard to the complaints filed by him for initiating enquiry into the conduct and behaviour of Certain Govt. officers/servants is not a matter within the purview of the Tribunal. Further as far as his deduction of income-tax is concerned, it is open to the applicant to visit his office and to satisfy

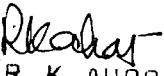
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himself by the inspection of the relevant registers and documents. As regards his appointment to the Ministry of Welfare, he submits that the applicant was appointed in accordance with ^{his} seniority while he was working as Grade-'B' Stenographer on ad hoc basis. The learned counsel for the respondents also produced for our perusal the relevant service book and the personal file of the applicant pertaining to the Ministry of Welfare.

5. We have considered the submissions made by the applicant and by the respondents' counsel and have gone through the service book as well as the personal file of the applicant. We find that the applicant has been raising the question of issuing a proper order allocating him to the Ministry of Welfare ^{but} either no such order was given to him ^{even after} the matter had been raised by the Ministry of Welfare with the Ministry of Home Affairs. The learned counsel for the respondents was ^{not} able to clarify and show us any order issued by the Ministry of Home Affairs, the parent cadre of the applicant regarding his further allocation to Ministry of Welfare.

6. In the circumstances of the case, we consider it fit to dispose off this application with a direction to the respondents that they should take up the matter with the Ministry of Home Affairs and obtain ^a copy of orders allocating the applicant to the Ministry of Welfare and to furnish the same to the applicant within a period of three months from the date of receipt of the certified copy of this order. There is no order as to costs.


(R.K. AHUJA)
MEMBER (A)

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(A.V. HARIDASAN)
VICE-CHAIRMAN (J)