

Central Administrative Tribunal, Principal Bench, New Delhi

O.A.No.31/2004

New Delhi, this the 30th day of November, 2004

Hon'ble Mr.Justice V.S. Aggarwal, Chairman
Hon'ble Mr.S.K. Malhotra, Member(A)

G.C. Rai,
S/o late Dr.Ram Niwas Rai,
Superintending Engineer,
Doordarshan Kendra, Worli,
Mumbai-400 025

....Applicant

(By Advocate: Shri Gopal Dutt)

Versus

1. Union of India
Through the Secretary to the Government of India,
Ministry of Information & Broadcasting,
Shastri Bhawan, New Delhi-1
2. Union Public Service Commission,
Through it's Secretary,
Shahjahan Road, Dholpur House,
New Delhi
3. Union of India,
Through the Secretary to the Government of India,
Ministry of Personnel, Public Grievances and Pensions,
Department of Personnel & Training, North Block,
New Delhi-1
4. Prasar Bharati,
Through it's Chief Executive Officer,
Copernicus Marg, Mandi House,
New Delhi-1

....Respondents

(By Advocate: Ms.R.O. Bhutia, for respondents 1,3 and 4
Shri Rajinder Nischal, for respondent 2)

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ORDER(ORAL)

Justice V.S. Aggarwal, Chairman

The applicant is a Superintending Engineer in the Ministry of Information and Broadcasting. By virtue of the present application, he seeks a direction to respondent no.1 to convene a departmental promotion committee meeting in accordance with the norms laid down by respondent no.3 for yearwise vacancies in association with the Union Public Service Commission for the post of Senior Administrative Grade cadre of IB(E)S. He further seeks a direction to respondent no.1 to issue promotion order by convening the DPC meeting in accordance with the Department of Personnel and Training O.M. No.22011/9/98-Estt. (D).

2. When the matter had been argued, since the facts were not disputed at either end, it became unnecessary for this Tribunal to go into the controversy in detail.

3. This is for the reason that admittedly a proposal for holding departmental promotion committee meeting for promotion to Senior Administrative Grade, referred to above, for the years 1998-99, 2000-2001, 2001-2002 and 2002-2003 had been made. The minutes had been forwarded to the concerned Ministry.


4. Learned counsel appearing on behalf of the UPSC informs us that the DPC meeting for the years 2003 and 2004 in terms of the norms laid for yearwise vacancies could not be held because the confidential dossiers of the concerned officer had not been forwarded. The same is stated to be with the Department of Personnel and Training. He states that if the said confidential dossiers are received, the necessary DPC meeting shall be held in accordance with law and also the DOP&T O.M. referred to above.

5. In these circumstances, we dispose of the present application directing -


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(a) Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training will forward the ACR dossiers of the applicant to the UPSC within two months; and

(b) thereafter the UPSC should convene the necessary DPC meeting within next three months to consider the claim of the applicant in accordance with law and DOP&T O.M. referred to above.


(S.K. Malhotra)
Member(A)

/dkm/


(V.S. Aggarwal)
Chairman