

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00088/2021

Date of order: 23.03.2021

**HON'BLE MRS.MANJULA DAS, JUDICIAL MEMBER
HON'BLE MR.N.NEHSIAL, ADMINISTRATIVE MEMBER**

Subhadeep Kolay
S/o- Suprabhat Kolay, age 36 years
Vill. & P.O.- Barsul, Dist. – Burdwan (E)
west Bengal 713124, Presently
residing at H. No. – 77, Rupkonwar
Path, Chachal, Khanapara
Guwahati- 22, Kamrup (M), Assam.



....Applicant

By Advocate(s): Sri U.K. Nair, Sr. Adv. assisted by
Sri B.P. Borah, Sri R.P. Dutta &
Sri R.S. Ranghang

-VS-

1. Union of India represented by Ministry of Home affairs, Govt. of India, West Block No. 1, Wing No – 5, R.K. Puram, New Delhi- 110066.
2. The Ministry of Narcotic Control Bureau, Govt. of India, West Block No. 1, Wing No – 5, R.K. Puram New Delhi – 110066.
3. The Zonal Director, NCB, Guwahati, VIP Road, Rupkonwar Path, Chachal, Khanapara, Guwahati – 22.

....Respondents

ORDER(ORAL)**MANJULA DAS, JUDICIAL MEMBER:**

By this O.A. applicant makes prayer to set aside and quash the order dated 23.02.2021 asking the applicant to perform duties under the NDPS act 1985 and issue a direction not to entrust activities under the NDPS Act to surveillance assistant or not to force the petitioner to act as a videographer of an operation under NDPS Act.



2. At the outset of moving the application, Sri U.K. Nair, Sr. Adv. assisted by Sri B.P. Borah, learned counsel for the applicant submitted that the applicant will be satisfied if the court directs him to make a comprehensive representation before the appropriate authority by ventilating his grievances as that has not been done before approaching this court.

3. It was submitted by the learned Sr. Advocate that one office memorandum was issued to the applicant vide order dated 23.02.2021 on the alleged

ground that the applicant has violated the provisions under section 166 A(a) of IPC.

4. According to the learned Sr. Adv. the applicant is serving as a surveillance assistant and not as a technical assistant. In view of that, to apprise the authority, he wants make a detailed comprehensive representation.



5. By accepting the prayer made by learned Sr. Advocate and without going into the merit of the case as well as without issuing notice to the respondents we direct the applicant to make comprehensive representation before the competent authority by ventilating his grievances within a period of 15 days from the date of receipt of copy of this order. On receipt of such representation, the competent authority shall consider the case of the applicant by taking into note of due assignments of the applicant and passed reasoned and speaking order within a period of 3 (three) months thereafter.

Meanwhile, no coercive action in pursuance of the office memorandum dated 23.02.2021 shall be taken against the applicant.

6. With the above direction, O.A. stands disposed of at the admission stage. No order as to costs.



(N. NEHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

/BD/