

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

O.A.NO. /493/93

~~**T.A.NO.**~~

DATE OF DECISION 08.09.99

S.A. Saikh Petitioner

Mr. M.R. Aaand Advocate for the Petitioner [s]
Versus

Union of India & Ors. Respondent

Mr. R.P. Bhatt Advocate for the Respondent [s]

CORAM

The Hon'ble Mr. V. Ramakrishnan ; Vice Chairman

The Hon'ble Mr. P.C. Kannan ; Member (J)

JUDGMENT

- 1, Whether Reporters of Local papers may be allowed to see the Judgment ? ✓
- 2, To be referred to the Reporter or not ? ✓
- 3, Whether their Lordships wish to see the fair copy of the Judgment ?
- 4, Whether it needs to be circulated to other Benches of the Tribunal ? ✓

S.A. Shaikh
2896/1, Kumbharwali Pole
Shahpur, Ahmedabad 380 001.

= Applicant =

(Advocate : Mr. M.R. Ananad)

V.s

1. Union of India
Notice to be served through
Secretary, Finance Department,
Secretariat, North Block,
New Delhi.
2. Chief Commissioner of Income – tax (Admn.)
Ayakar Bhavan, Ashram Road,
Ahmedabad – 9.

= Respondents =

(Advocate : Mr. R.P. Bhatt)

ORAL ORDER

O.A 493 OF 1993

Date : 08.09.99

Per Hon'ble Shri. V. Ramakrishnan : Vice Chariman.

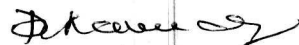
We have heard Mrs. Bhatt for the respondents and have also gone through the materials on record.

2. The applicant an employee of the Income Tax Department has contended that when he was functioning as a U.D.C., he was not given special pay which was given to his juniors. He has since been promoted to the level of Tax Assistant.

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3. The respondents have taken the line that as per the relevant instructions, special pay is given to certain posts of U.D.Cs and for identifying persons who had to be given such posts a selection has been held. They further bring out that Central Board of Direct^{Taxes} vide its letter dated 07.02.1990 had brought out that for filling up the post of U.D.C. with special pay, the selection is to be made by the Controlling Authority on the basis of suitability of a particular official to handle the work in a post identified as carrying discernible duties and responsibilities of complex nature. They further contend that the applicant was assessed but was not found suitable for the special pay post. This position has not been controverted by the applicant by filing a rejoinder or otherwise.

4. In the light of the clear statement of the respondents that the special pay post is to be filled up by selection and the applicant was considered but was not found fit for filling up such post, we do not find any merit in the application. The O.A is dismissed. No costs.



(P.C. Kannan)
Member (J)



(V. Ramakrishnan)
Vice Chairman

mb

CENTRAL ADMINISTRATIVE TRIBUNAL, DELHI

Application No. 067/493/93 of 19 .

Transfer application No.

Old Writ Pet. No. -

CERTIFICATE

Certified that no further action is required to be taken and the case is fit for consignment to the Record Room (Decided).

Dated: 28-09-99

Countersigned:

Arora
28-9-99

~~Section Officer/Court Officer.~~



Signature of the
Dealing Assistant.

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD

CAUSE TITLE

00A/493/93

NAME OF THE PARTIES

S.A. Shastri

VERSUS

U.O.I. - 2 Ays.

SR NO.

DESCRIPTION OF DOCUMENTS

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00A

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02.

Repl

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04.

O.O. dtd. 08-09-99

(3 pages)

Documents found in 'C' post

1 to 8 pages

29/3/00