

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 352 OF 2011

Wednesday, this the 20th day of April, 2011

CORAM:

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

Raju Narayana Swamy
Secretary to Government
Youth Affairs Department
Government of Kerala

... Applicant

(By Advocate Mr. Devan Ramachandran)

versus

1. Union of India represented by the Secretary
to Government of India
Ministry of Personnel, Public Grievances and Pensions
New Delhi
2. The Establishment Officer
Department of Personnel and Training
Ministry of Personnel, Public Grievances and Pensions
New Delhi ... Respondents

(By Advocate Mr. Sunil Jacob Jose, SCGSC)

The application having been heard on 20.04.2011, the Tribunal
on the same day delivered the following:

ORDER

HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER

The applicant is a 1991 batch IAS officer of the Kerala cadre. According to the counsel for the applicant, he is of impeccable character and having good reputation. He conducts himself diligently and discharges the duties assigned to him earnestly. He is currently holding the post of Secretary to Government, Youth Affairs Department, Government of Kerala. According to the extant rules regarding progression of posts, an IAS officer with 16 years of service as Secretary in the State Government

is entitled to be empaneled as Joint Secretary in the Central Government. His name appears at Sl.No. 75 in the Annexure A-1 Civil list of IAS officers. According to him, since the applicant is holding the post of Secretary in the Government of Kerala and he has more than 16 years service in the cadre, he is eligible for consideration for promotion as Joint Secretary in the Government of India and to be empanelled accordingly in the Annexure A-2 list of Joint Secretaries and equivalent officers prepared by the Government of India. The applicant's grievance is that while his juniors viz., S/Shri Ram Prakash Sisodia, Shailesh Kumar Singh, Vineet Joshi and A.Subbiah who are at Sl.No. 171, 247, 377 and 446, respectively of the Annexure A-1 list are included in the Annexure A-2 list, respondents have excluded his name which is arbitrary, illegal, and unjustified.

2. Mr.Sunil Jacob Jose, SCGSC on receipt of an advanced copy of the OA, appeared on behalf of the respondents. He has pointed out that the OA is pre mature as the applicant has not availed himself of the departmental remedies available to him. According to him, the applicant should have made an appropriate representation to the competent authority for redressal of his grievances and only thereafter he should have filed this OA.

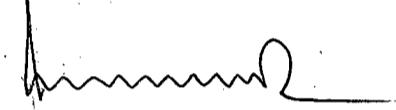
3. Agreeing with the aforesaid contention of the learned SCGSC, I dispose of this OA at the admission stage itself with the liberty to the applicant to make a self contained representation to the appropriate authority for the redressal of his grievance. If such a representation is received within a reasonable period of time, the authority concerned shall



consider the same and dispose of it by a reasoned and speaking order, under intimation to the applicant, within a period of four weeks from the date of receipt of a copy of the order.

4. There shall be no order as to costs.

Dated, the 20th April, 2011.



GEORGE PARACKEN
JUDICIAL MEMBER

VS