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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY.

Original Application No. 315/86.

Shri V.K. Gupta,  
Nursing Attendant,  
C.G.H.S. Dispensary No.1,  
Katol Road Colony,  
Nagpur.

... Applicant.

V/s

1. Chief Medical Officer,  
Central Govt. Health Scheme,  
Civil Lines,  
Nagpur.

2. Director General of Health Services  
Nirman Bhawan,  
New Delhi-110 001.

... Respondents.

*Hon'ble*  
Coram: Vice-Chairman, B.C. Gadgil,  
*Hon'ble* Member (A), J.G. Rajadhyaksha.

Appearances:

The applicant in person.


Oral Judgment:

(Per Vice-Chairman, B.C. Gadgil)

Dated: 11.10.1986.

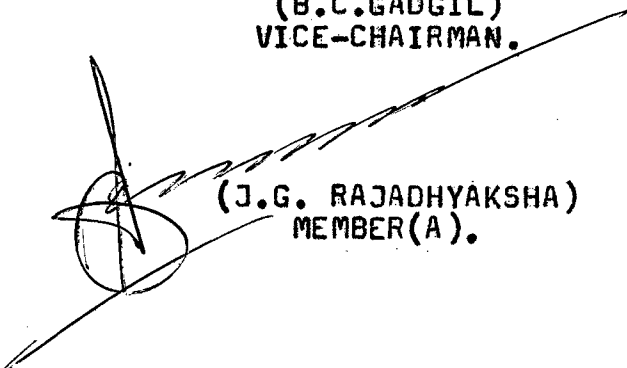
The applicant has filed this application for expunction of confidential remarks and for getting an order for crossing his Efficiency Bar. The applicant is working as Nursing Attendant in the Central Government Health Scheme, Nagpur. The Annual Confidential Reports dated 11.1.1985 (vide Annexure 4 to the application) contain some adverse remarks; for example, it is stated that he is not amenable to discipline and is not punctual. Similarly, it is also stated that he often enters into arguments and he is not co-operative with some of his colleagues. In general remarks, it is said that he makes it difficult for the Dispensary to function by misleading other staff. The applicant made a representation against this confidential report and that representation was rejected on 8.3.1985 (vide Annexure 6.)

...2/-



We have heard the applicant. His contention is that he was never informed in writing about his alleged lapses and that the adverse remarks should be expunged. In our opinion, communication of adverse confidential report by itself is sufficient and it is not always required that the official should be warned of his lapses. His another contention is that but for the confidential reports he would have been able to cross E.B. It may be true. But in view of the said confidential report, we do not think that it would be possible for the applicant to cross E.B. At the time of arguments, the applicant showed us a memorandum dated 1.1.1986 which states that the case of the applicant was reviewed in December 1985. However, on account of a special report in 1985 as well as the adverse remarks for the year 1984 he was not allowed to cross E.B. The memorandum further states that the case will be reviewed in the month of December 1986. In the background of these facts, we do not think that there is any substance in this application. Therefore, the application is summarily dismissed.

  
(B.C.GADGIL)  
VICE-CHAIRMAN.

  
(J.G. RAJADHYAKSHA)  
MEMBER(A).