

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 21st day of March, 2011

ORIGINAL APPLICATION No.98/2011

CORAM :

HON'BLE MR.JUSTICE K.S.RATHORE, JUDICIAL MEMBER
HON'BLE MR.ANIL KUMAR, ADMINISITRATIVE MEMBER

1. Sunil Kumar,
ITO, Ward 6(1),
New Central Revenue Building,
Statue Circle,
Jaipur.
2. Rajendra Kumar,
ITO (Investigation),
Headquarter-II,
O/o DGIT (Inv.),
New Central Revenue Building,
Statue Circle,
Jaipur.

... Applicants

(By Advocate : Shri Anupam Agarwal)

Versus

1. Union of India through
Secretary,
Government of India,
Ministry of Finance,
Department of Revenue,
North Block,
New Delhi.
2. Chairman,
Central Board of Direct Taxes,
Department of Revenue,
Ministry of Finance, North Block,
New Delhi.
3. Chief Commissioner of Income Tax,
NCR Building, Statue Circle,
Jaipur.
4. Shri S.C.Hada,
R/o 5, Saraswati Colony,
Tonk Road, Jaipur.

... Respondents

(By Advocate : - - -)

ORDER (ORAL)

By way of this OA, the applicants have prayed that the record relating to the matter such as roster, assessment of vacancies and the DPC proceedings may kindly be called for and after perusing the same the respondents may be directed not to make discrimination among the qualified Inspectors on the basis of marks obtained by them in the departmental examination while making promotions to the post of ITO. The respondents may further be directed to make proper assessment of Scheduled Castes vacancies by rounding off the percentage as prescribed by law before due correction in the recruitment roster of the post of ITO. The recruitment roster of the post of ITO should also be corrected by placing SC category candidates selected on their own merit on general points in the roster. After such exercise, the respondents should be directed to finalize the seniority list of ITOs.

2. It is revealed that the applicants have also represented before the respondents through proper channel vide their representations dated 30.10.2009 & 3.11.2009 but the same have not been considered by the respondents.

3. Considering the relief claimed as well as the fact that the representations so filed by the applicants are still pending consideration with the respondents and that the applicants are apprehending that the respondents may over-look their own circulars and may hold the DPC. However, the specific date and time have not been mentioned by the applicants when they are going to hold the DPC. Be that as it may, without entering into the merit of the case, we deem it proper to give liberty to the applicants to move a fresh representation with all the submissions which are raised here in this OA and the respondents are expected to consider the same in view of the rules, acts and circulars issued by them from time to time within a period of three months from the date of receipt thereof and shall communicate the decision so taken on the representation. It is also made clear that the applicants will be



at liberty to approach this Tribunal again if they feel aggrieved by the decision so taken by the respondents on their representation.

5. With these observations, the OA stands disposed of at admission stage.

Anil Kumar
(ANIL KUMAR)

MEMBER (A)

K. S. Rathore
(JUSTICE K.S.RATHORE)

MEMBER (J)

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