

**Central Administrative Tribunal
Principal Bench**

OA No.1663/2017

New Delhi, this the 16th May, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Shri C. Uday Kumar, Age 53 years
Group 'A', DC, N.W. District
S/o Shri S. Chellappan
R/o House No. B-2, Delhi Govt. Residential Flats
Sector D-2, Vasant Kunj
New Delhi-110070. ..Applicant

(By Advocate: Ms. Shobhana Takiar)

Versus

1. Union of India
M/o Personnel, Public Grievances & Pensions
Department of Personnel & Training (DOP&T)
Through its Secretary, North Block
New Delhi-110001.
2. Union of India, M/o Home Affairs
Through its Secretary
North Block
New Delhi-110001. .Respondents

ORDER (ORAL)

Justice Permod Kohli, Chairman :-

The applicant belongs to 1991 batch of Delhi and Andaman & Nicobar Islands Civil Service (DANICS) and is presently working as Deputy Commissioner (Revenue), North-West District, Delhi. It is alleged that under Regulation 5 of the Indian Administrative Service

(Appointment by Promotion) Regulations, 1955 the applicant is eligible for induction into IAS in the AGMUT Cadre after 8 years of regular service. The applicant is said to have completed more than 25 years of service but has been denied induction to IAS from the year 2011 onwards. The applicant has also made a representation dated 05.09.2014 (Annexure A-3) with the following prayer:-

"7. In view of the above I hereby humbly pray to the government to immediately rectify the error and to remove the discrimination and violation committed in the IAS Cadre rules 1954 and to notify 98 posts as state duty posts instead of 56 in respect of GNCTD as on 12.3.2010 and to correctly notify the promotion quota vacancy as 54 instead of 31."

2. From the representation, it appears that the case of the applicant is that in the cadre review held in 2010 all the vacancies for purposes of induction into IAS have not been taken into consideration. It is prayed in the representation to notify 98 posts instead of 56 as state duty posts in respect of GNCTD as on 12.03.2010 and to correctly notify the promotion quota vacancies as 54 instead of 31.

3. The grievance of the applicant is that despite the judgment of Jabalpur Bench of this Tribunal dated 29.03.2005 passed in OA No. 284/2004 and 285/2004, no decision has been taken on the representation of the applicant. The prayer made is thus for a direction to the respondents to consider the representation of the applicant.

4. In view of the above circumstances, without commenting on the merits of the controversy, this Application is disposed of at the admission stage with a direction to the competent authority to take decision on the representation of the applicant dated 05.09.2014 within a period of three months from the date of receipt of a copy of this order and dispose of the same by passing a reasoned and speaking order.

(K.N. Shrivastava)
Member(A)

(Justice Permod Kohli)
Chairman

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