

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.1001/2016

New Delhi, this the 2nd day of February, 2017

Hon'ble Mr. P.K. Basu, Member (A)

Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

Vivekanand Sharma, SREO/ Adhoc DANICS

Aged 49 years

S/o Late Sh. C.M. Sharma

R/o A-72, Caption Guar Marg

East of Kailash, New Delhi-65

..... Applicant

(By Advocate: Mr.Soumyasree Mishra)

Versus

1. Chief Secretary,
Govt. of NCT Delhi.
5th Level, Delhi Secretariat, I.P. Estate
New Delhi-110002.
 2. Director Employment
Govt. of NCT of Delhi
Employment Exchange Building
IARI Complex, Pusa, New Delhi
 3. Principal Secretary
Services Department
Delhi Department I.P. Estate, New Delhi-110002.
 4. Principal Secretary, Vigilance
Delhi Secretariat, New Delhi
- Respondents

(By Advocate: Mr.R.N. Singh)

ORDER (ORAL)

Hon'ble Mr. P.K. Basu, Member (A)

Heard the learned counsel.

2. The third MACP was due to the applicant on 04.06.2010, the Screening Committee found him unfit, on its meeting held on 09.02.2016 on account

of being under suspension at the time of eligibility for third MACP i.e. 04.06.2010. Learned counsel for the applicant, however, submits that the applicant's suspension was revoked w.e.f. 09.12.2010 and also no charge sheet was issued on the departmental proceedings nor charge sheet filed in the criminal case on that date. Therefore, his case for 3rd MACP should be granted w.e.f. 09.12.2010.

3. In view of these facts, we disposed of this OA with a direction to the respondents to hold a review DPC and the above facts may be placed before the Screening Committee for reconsideration. We also note that only two ACRs have been made available before the Screening Committee. The respondents will ensure that all the relevant ACRs are put up before the Screening Committee in accordance with the DOP&T's guidelines.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P.K. Basu)
Member A)

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