

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A No.2018/2018

New Delhi, this the 22nd day of May, 2018

Hon'ble Mr. Justice Dinesh Gupta, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)

Shri Ravindra Kumar
Aged about 53 years
S/o Shri Bhawar Singh
R/o 4732 F-4, Alok Vihar-1,
Sector-50, Noida,
District Gautam Budh Nagar,
U.P.-201301

Presently working as:

Director (Finance)
NEPA Limited,
D-165, Defence Colony,
New Delhi-24.

.. Applicant

(By Advocate: Shri D.S. Chaudhary with Shri Mathew D and
Shri Vishesh Kumar)

Versus

1. Union of India
Through the Secretary (PE),
Ministry of Heavy Industries & Public Enterprises,
Department of Public Enterprises,
Udyog Bhawan,
New Delhi-110 001.

2. The Secretary (P),
Ministry of Personnel, Public Grievances and
Pensions,
Department of Personnel and Training,
North Block, New Delhi-110001.

3. The Public Enterprises Selection Board
Through its Chairman,
Room No.502, Block No.14,
Public Bhawan, Lodhi Road,
New Delhi-110003.

.. Respondents

(By Advocate: Shri R.K. Jain)

ORDER (ORAL)**Mr. K. N. Shrivastava, Member (A):**

The applicant is presently working as Director (Finance) in NEPA, which is a Schedule 'C' category - a Board level post. He is aspiring to apply for the post of Director in Schedule 'A' category as well as for the post of CMD in Schedule 'B' category. It is stated that the equivalence of various posts in Schedule 'A', 'B', 'C' and 'D' categories has been provided by the Department of Public Enterprises (DPE) in its Annexure A-1 OM dated 26.11.2008. It is stated that in terms of the equivalence prescribed, the applicant is eligible for applying for the post of Director in Schedule 'A' category as well as for the post of CMD in Schedule 'B' category.

2. The grievance of the applicant is that the Central Public Sector Enterprises (CPSE) is considering the equivalence as it existed prior to 01.01.2007 and is not taking into consideration the equivalence as prescribed in the aforesaid DPE OM dated 26.11.2008.

3. The applicant has submitted several representations to Public Enterprises Selection Board (PESB) requesting that the equivalence prescribed in the Annexure A-1 OM of DPE should have been acted upon but there has been no response from the PESB. These representations are at Annexure A-5 (Colly) dated 14.08.2017.

4. Shri D.S. Chaudhary, learned counsel for the applicant submits that the applicant would be satisfied, at this stage, if a time bound direction is given to Respondent No.3 to decide the pending Annexure A-5 (colly) representation dated 14.08.2017 in a time bound manner.

5. Having regard to the submissions made and without going into the merits of the case, this OA is disposed of with a direction to Chairman, PESB (respondent No.3) to decide Annexure A-5 (colly) representation dated 14.08.2017 of the applicant by passing a reasoned and speaking order within a period of three months from the date of receipt of a certified copy of this order.

6. Needless to say that the applicant shall have liberty to take appropriate recourse as available to him in accordance with law in case he remains dissatisfied with the orders to be passed by Respondent No.3 on his representation.

7. No order as to costs.

(K.N. Shrivastava)
Member (A)

(Justice Dinesh Gupta)
Chairman

cc.