

LIBRARY

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

CA/350/1520/2018

Amar Kumar Pramanik, Son of Sri Dulal Chandra Pramanik, aged about 42 yrs. working as Constable, C.B.I. under Deputy Inspector General of Police and HOB, C.B.I., Anti Corruption Branch, Kolkata, at present residing at Vill. & Post Aminabad, P.S. Domkal, District Murshidabad, Pin - 742406.

Applicant

- Vs -

1. Union of India through the Secretary,
Department of Personnel & Training,
Govt. of India,
North Block, New Delhi - 110 001.
2. The Director,
Central Bureau of Investigation,
Govt. of India, Plot No. 5,
CBI, Head Quarters, 7th Floor,
CGO Complex, Lodhi Road,
New Delhi - 110003.
3. Joint Director & HOZ
Kolkata Zone,
Central Bureau of Investigation
15th Floor, 2nd M.S.O. Building,
Nizam Palace, 234/4, A.J.C. Bose Road,
Kolkata - 700020.
4. The Deputy Inspector General of Police & HOB
Central Bureau of Investigation,
Anti Corruption Branch, Kolkata,
234/4, A.J.C. Bose Road,

10/10

2nd M.S.O. Building, 14th Floor,
Nizam Palace, Kolkata - 700020.

5. The Superintendent of Police (1)
Central Bureau of Investigation,
Anti Corruption Branch, Kolkata,
234/4, A.J.C. Bose Road,
2nd M.S.O. Building, 14th Floor,
Nizam Palace, Kolkata - 700020.
6. The Director General
Sashastra Seema Bal,
Govt of India, Ministry of Home Affairs,
Force Head Quarters,
East Block-V, RK Puram,
New Delhi, Pin - 110066.

... Respondents

Wd

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1520/2018

Date of Order: 10.10.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

For the Applicant(s): Mr. C. Sinha, Counsel

For the Respondent(s): Mr. S. Paul, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Ld. Counsel for both the parties.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

- a) to direct the respondents to reconsider the case of the applicant for permanent absorption in the CBI, ACB Kolkata strictly staying within the parameters as prescribed in the Circular dated 3.08.2018 and also taking into consideration the satisfactory service, grading in the confidential report, the citations, certificates and cash awards which applicant received during the period of deputation in CBI.
- b) any other order or order as to the Hon'ble Tribunal deems fit and proper.

3. The case of the applicant in short is that he is working as Constable in the Central Bureau of Investigation Anti Corruption Branch, Kolkata under deputation from SSB on usual terms for three years and on expiry of which the deputation period has been extended for the 4th, 5th, 6th and 7th year respectively which would come to an end on 13.11.2018. The applicant applied for permanent absorption in the CBI in terms of Circular dated 03.08.2018 having fulfilled all the requisite criteria as prescribed in the said Circular but unfortunately though the cases of Juniors in terms of deputation period in CBI is considered but applicant's request has not been considered in its true perspective. Ld. Counsel for the applicant submitted that ventilating his grievance the applicant has preferred a representation

(AI)

dated 19.09.2018 (Annexure-A/11) before Respondent No.2 but nothing has been communicated to him till date.

4. Having heard Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No. 2 to consider the representation of the applicant, if the same has been filed and is pending before him for consideration, and pass a reasoned and speaking order as per rules and regulations within a period of six weeks from the date of receipt of copy of this order. I make it clear that status quo as on date so far as continuance of the applicant in the present place of posting is concerned will be maintained till the period of one week from the date of communication of the order. I make it clear that if after such consideration the applicant is found to be otherwise eligible for absorption then expeditious steps be taken to absorb him in his present place of posting. I make it clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within two weeks.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 2, for which, he undertakes to deposit the cost with the Registry within a week.

7. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K.Patnaik)
Member(J)

RK/PS