

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

O.A. No. 311/2019

This the 13th day of August, 2019

**Hon'ble Mr. S. N. Terdal, Member (J)
Hon'ble Mr. A. K. Bishnoi, Member (A)**

Inspr. (Asstt. Programmer) Vijay Gahlawat
Age-41 Yrs./Gp-B
No. D-I/364 (PIS 25000004) S/o Sh. Kanwar Singh
R/o 1888, Sector-6, Bahadurgarh, Haryana

...Applicant

(By Advocate: Sh. U. Srivastava)

VERSUS

1. Govt. of NCT Delhi through the Chief Secretary
Delhi, Delhi Secretariat, New Delhi
2. The Commissioner of Police,
Police Head Quarters,
I.P. Estate (I.T.O.), New Delhi

...Respondents

(By Advocate: Ms. Esha Mazumdar)

ORDER (ORAL)

Hon'ble Mr. S.N. Terdal, Member (J):

Heard. Perused the documents.

2. The learned counsel for the applicant submits that in their counter affidavit, the respondents have made a specific averment to the effect that in so far as assigning to all the seven Inspectors of Computer Cadre as look-

after-charge of the rank of ACP against the existing vacancies of ACPs of Computer Cadre, namely, ACP (Programmer), ACP Computer Centre Supervisor (Civilian) and ACP Programmer (Civilian), a proposal is already under active consideration. The relevant paras of the averments made in the reply affidavit of the respondents are extracted below:-

“10. That Delhi Police Hdqrs. had also received some other representations submitted by other Inspectors of Computer cadre on the same grounds that they may be considered for their promotion or assigned the look after charge for the post of ACP against the vacant post of Computer cadre and civilian posts of computer cadre. All the representations were examined in Delhi Police Hdqrs. at various angles i.e. in the light of RRs for the post of ACP/Programmer, as well as to explore the possibility in the rules to promote them against the vacant civilian posts, O.A.s filed by the Inspectors of Computer cadre, etc. The Inspectors also insist that the DOP&T's O.M. No. 14017/2/2011-Estt.(RR) dated 30.05.2014 may also be kept in mind while deciding their applications. All the representations including of the applicant's representation were forwarded to the Govt. of NCT of Delhi vide Delhi Police Hdqrs. letter No. 69255-61/CB-I/PHQ dated 16.11.2016 to consider their requests in the light of DOP&T's O.M. No. 14017/2/2011-Estt. (RR) dated 30.05.2014 being cadre controlling authority of non-cadre gazetted posts. However, the Govt. of NCT of Delhi returned the case with the observations to send a formal proposal alongwith UPSC proforma, if any vacant post of ACP (Programmer) exists, vide letter No. F.5/47/87/HP-I/Estt./5945, dated 11.01.2017.

11. That accordingly, the matter was examined in the office of the answering respondent. Crime Branch of Delhi Police, being user unit of these posts, was asked to send a formal proposal in this regard, vide answering respondent's U.O. dated 27.01.2017. After examining the issue, the Joint Commissioner of Police/Crime, Delhi vide reference dated 21.07.2017 had sent a proposal for assigning the look after charge of the rank of ACP

(Programmer) to all 07 Inspectors of Computer Cadre, including the applicant, which was being considered in the office of answering respondent.”

3. Though the counsel for the respondents prayed for time to seek clarification but in view of the above averments made by the respondents, at this stage without going into the merit of the case, we direct the respondents to take decision by passing a reasoned and speaking order regarding the said proposal stated in the above extracted paragraphs, within two months from the date of receipt of a certified copy of this order.

In case the applicant is aggrieved by the decision taken, he may seek relief as per law.

Accordingly, the O.A. is disposed of. There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(S.N. Terdal)
Member (J)

/akshaya/