
(2021) 02 CAT CK 0113

In the Central Administrative Tribunal

Case No : Original Application No. 405 Of 2021

Babita Gulia

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 22-02-2021

Acts Referred:

Citation : (2021) 02 CAT CK 0113

Hon'ble Judges : L. Narasimha Reddy, J; Mohd. Jamshed, Member (A)

Bench : Division Bench

Advocate : D. S. Chaudhary, Ranjan Tyagi

Final Decision : Disposed Of

Judgement

L. Narasimha Reddy, J

1. The applicant was appointed as Scientific Assistant in the year 2003 in the Central Forensic Science Laboratory (CFSL), the third respondent. It is stated that she became eligible to be considered for promotion as SSO Grade-I, in the year 2015 and for the subsequent years under the Flexible Complimenting Scheme (FCS), but the selection was made only in the year 2020 by the UPSC. She contends that, the selection committee awarded only 84 marks to her and thereby she was not promoted. Another grievance of the applicant is that the respondents have not taken any steps to convene a review DPC for FCS for regular promotion to the post of SSO Grade-I, referable to the year 2014.

2. We heard Shri D.S. Chaudhary, learned counsel for the applicant and Shri Ranjan Tyagi, learned counsel for the respondents.

3. The applicant sought a relief in the form of a direction to conduct review DPC for her promotion under FCS for the years 2014, 2015 and 2016. It is not in dispute that the promotions under the FCS did not take place in those years and a combined exercise took place in the year 2020. Admittedly the applicant was not found fit. The question of showing the FCS of the applicant against a

particular year, would arise if only she was found fit by the DPC. Once she did not qualify, the year hardly matters.

4. So far as the question of regular promotion to the post of SSO Grade - I is concerned, the respondents need to consider the feasibility of convening the review DPC within three months from the date of receipt of a copy of this order. If any impediment exists for the convening of the DPC, a reasoned order shall be passed and communicated to the applicant within that period.

5. The OA is accordingly disposed of. There shall be no order as to costs.