

Claim Petition No. 27/NB/DB/2019
Kranti Singh vs. State of Uttarakhand & others

Dated: 08.08.2022

While preparing for judgment, the Tribunal feels that clarifications on the following points are required from the parties:

- (i) The minutes of the DPC dated 28.02.2019 (Annexure-1), in which petitioner was found unfit for promotion to the post of Deputy General Manager (Operation/Personnel), state the criteria for promotion is '*Anupyukt Ko Asweekar Karte Hue Yogyata Evam Jyeshthta*', which is confusing because the criteria should be either 'merit' or 'seniority subject to rejection of unfit'. The respondent corporation may clarify what is the criteria prescribed in the Rules and what criteria was adopted by the DPC in its meeting dated 28.02.2019.
- (ii) The petitioner claims that the ACRs were never communicated to him. In rebuttal, the Counter Affidavit of the respondents no. 2 & 3 states that the petitioner himself asked for his ACRs of last four years vide his letter dated 22.02.2017 under the RTI Act which have been provided to him vide Public Information Officer's letter dated 10.08.2017. Further, when the petitioner applied for deputation in the month of November, 2018 to All India Technical Education Board, the department gave him NOC and copies of five years' Annual Confidential Reports vide letter dated 30.11.2018. Thus, it is clear that the petitioner was well aware about his ACRs but he did not make any representation against these Confidential Reports before the competent authority. Though, no R.A. has been filed by the petitioner, still, the Tribunal would like to confirm from him if he has made any representations for upgradation of these ACRs.

List on 18.08.2022 for submitting clarifications and hearing on the above points.

RAJEEV GUPTA
VICE CHAIRMAN (A)

KNP

JUSTICE U.C.DHYANI
CHAIRMAN