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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2250/2002

Thursday, this the 5th day of December, 2002

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

Shri Rajender Pal Chawla
s/o Lt. Shri Sohan Lal Chawla
r/o F-73, Naraji Nagar, New Delhi

Working as Asstt. Laundry Supervisor
Laundry Department, Safdarjang Hospital
New Delhi
(By Advocate: Shri M.L.Chawla) ...Applicant

Versus

1. Union of India
through its Secretary
Ministry of Health & Family Welfare
Nirman Bhawan, New Delhi-11
2. Principal & Medical Superintendent
Safdarjang Hospital,
New Delhi-16
3. Director General
Health Services
Nirman Bhawan, New Delhi-11

...Respondents

O R D E R (ORAL)

Shri S.A.T. Rizvi:

Heard.

2. The applicant in the present OA seeks benefit under the ACP Scheme on the ground that his appointments as Electrician as well as Boiler Attendant (BA) ^{both} ~~both~~ were directly made without him being promoted from one job to the other. The ~~both~~ promotion to the post of Assistant Supervisor (AS) is an ad hoc promotion and the applicant retired from service while working as ad hoc Assistant Laundry Supervisor (ALS).

3. At the instance of the learned counsel appearing on behalf of the applicant, we have perused the extracts

of the service book lately placed on record by him. The entries available in the aforesaid extract would show that the applicant was appointed as Electrician on 25.8.1964 in the pay scale of Rs.125-155/-. Thereafter, according to the same extract, he was appointed as BA on 27.8.1965, i.e., after one year from his appointment as Electrician in the pay scale of Rs.150-205/-. The entries further show that he was confirmed as BA w.e.f. 1.6.1971 and was thereafter promoted as ALS on ad-hoc basis in September, 1977. After a careful consideration of the aforesaid facts, we get an impression that his appointment as BA could not have been ^{made} by way of promotion as he got appointed as BA just ~~after~~ a year after he was appointed as Electrician. There is no entry in the aforesaid extract to show that his appointment as BA came by way of promotion. Insofar as the post of ALS is concerned, there is, of course, an entry to the effect that he was promoted to that post from the earlier post of BA. It would thus seem that during the course of his service, the applicant has earned only one promotion and should, therefore, be entitled for second financial upgradation in terms of the ACP Scheme. In the absence of a proper entry in the aforesaid extract taken from the applicant's service book, we are unable to conclude positively that he was directly appointed as BA and was not so appointed by way of promotion from the post of Electrician. This is something which the respondents will be able to decide after a proper and thorough scrutiny of service record of the applicant.

4. In the aforesaid circumstances, we find it in order and just to dispose of the present OA at this very

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(3)

stage even without issue notices to the respondents with a direction to the respondents to scrutinize the service record of the applicant carefully and thoroughly so as to find out for sure whether the applicant has indeed received two regular promotions. If he ~~has~~ found to have received regular promotions, there will be no case for the grant of financial upgradation under the ACP Scheme. On the other hand, if only one regular promotion has come in his way so far, there will be a case for considering his claim for second financial upgradation under the ACP Scheme. This will, of course, be subject to fulfilment of all the other conditions laid down in the relevant Office Memorandum issued by the DOP&T. We direct accordingly.

5. The present OA is disposed of in the aforesated terms.

S.A.T. Rizvi
(S.A.T. Rizvi)
Member (A)

/sunil/

V.S. Aggarwal
(V.S. Aggarwal)
Chairman