

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

**Original Application No.20/362/2014
with OA Nos.20/418/2014,
20/419/2014 & 20/420/2014**



Hyderabad, this the 24th day of December, 2019

***Hon'ble Mr. Justice L Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Member (Admn.)***

OA No. 020/362/2014

Sri G. Srinivasa Sarma,
S/o. G. Venkatappaiah,
Clerk (ACP) A/c. No. 8337342,
Office of the DCDA i/c,
PAO (Ors) AOC, Secunderabad – 500 015,
R/o. C-10 Lekha Nagar,
DAD Residential Complex,
Secunderabad – 500 015.

... Applicant

(By Advocate Mr. A. Durga Bhaskar)

Vs.

1. The Secretary, Government of India,
Under Department of Personnel & Training (OM),
North Block, New Delhi.
2. The Controller General of Defence Accounts,
Ulan Batar Road,
Delhi Cantt – 110 010.
3. The Controller of Defence Accounts,
No.1, Staff Road,
Secunderabad – 500 015.

... Respondents

(By Advocate Mrs. K. Rajitha, Sr. CGSC)

OA No. 020/418/2014

Sri A. Ravindra Nath, S/o. A. Pullaih,
 Clerk (ACP) A/c. No. 8337292,
 Office of the Main
 Office Controller of Defence Accounts,
 No.1, Staff Road,
 Secunderabad – 500 009.

... Applicant



(By Advocate Mr. A. Durga Bhaskar)

Vs.

1. The Secretary,
 Government of India,
 Under Department of Personnel & Training (OM),
 North Block, New Delhi.
2. The Senior Accounts Officer (Admn.),
 Office of the Controller General of Defence Accounts,
 West Block V, R.K. Puram,
 New Delhi Cantt – 110 063.
3. The Controller of Defence Accounts,
 No.1, Staff Road,
 Secunderabad – 500 015.

... Respondents

(By Advocate Mr. M. Venkata Swamy, Addl. CGSC)

OA No. 020/419/2014

Sri Gunaparthi Chakri,
 S/o. Gunaparthi Satyanarayana,
 Clerk (ACP) A/c. No. 8339162,
 No. A/AO/GE/(i) DM (Estt.),
 Office of the AO GE (I) (DM) 76-814-1,
 Naval Dock Yard,
 Visakhapatnam,
 R/o. Door No. 16-26-6,
 Sri Venkateswara Nagar,
 Behind ESI Hospital,
 Kakinada – 533 001,
 East Godavari District, A.P.

... Applicant

(By Advocate Mr. A. Durga Bhaskar)

Vs.

1. The Secretary,
Government of India,
Under Department of Personnel & Training (OM),
North Block, New Delhi.
2. The Controller General of Defence Accounts,
Ulan Batar Road, Delhi Cantt – 110 010.
3. The Controller of Defence Accounts,
No.1, Staff Road,
Secunderabad – 500 015.

... Respondents



(By Advocate Mrs. K. Rajitha, Sr. CGSC)

OA No. 020/420/2014

Sri P.S. Sreenivasa Murty,
Clerk (ACP) A/c. No. 8339146,
Office of the Main
Office Controller of Defence Accounts,
No.1, Staff Road, Secunderabad – 500 009,
C/o. Ch. Jyotirmayi, Jr. Lecturer in Hindi,
New Government Junior College (B),
Opp. YMCA, Secunderabad.

... Applicant

(By Advocate Mr. A. Durga Bhaskar)

Vs.

1. The Secretary,
Government of India,
Under Department of Personnel & Training (OM),
North Block, New Delhi.
2. The Controller General of Defence Accounts,
Ulan Batar Road,
Delhi Cantt – 110 010.
3. The Controller of Defence Accounts,
No.1, Staff Road,
Secunderabad – 500 015.

... Respondents

(By Advocate Mr. Megha Rani Agarwal, Addl. CGSC)

COMMON ORDER (ORAL)
{As per Hon'ble Mr. Justice L Narasimha Reddy, Chairman}

In this batch of OAs, common question of fact and law are involved.

Hence, they are disposed of through a common order.



2. The applicants in these OAs, except the one in OA 419/2014, were initially appointed in the National Savings Organization (for short "NSO"), Ministry of Finance. Applicant in OA 419/2014 was working as LDC in Bank Note Press, Dewas (for short "BNP"). They were transferred to the office of the Controller General of Defence Accounts (for short "CDA") on permanent basis. Subsequently, the office of the NSO, in which the applicants worked earlier, was closed. For the service rendered by the applicants in the NSO/BNP, they were extended the benefit of 1st ACP. However, in the office of CDA, the benefits were extended, once again, as though the applicants were not provided with that, for their service rendered in the NSO/BNP at all. On realizing that the applicants were extended 1st ACP twice, one of it was withdrawn and the remaining benefits were retained. This OA is filed challenging the action of the respondents.

3. The respondents filed counter affidavit opposing the OA. It is stated that certain benefits of Career Progression were extended to the applicants inadvertently ignoring the fact that the applicants were already extended the benefit of I ACP for the service rendered in the NSO/BNP and that no illegality has taken place.

4. OAs were listed for hearing yesterday. Since there was no representation for the applicants, they have been adjourned till today. It

was made clear that if the same situation continues, the OAs would be disposed of by taking recourse to Rule 15 of C.A.T. (Procedure) Rules, 1987. Today also, there is no representation for the applicants.



5. We heard Mrs. K. Rajitha, learned Sr. Central Government Standing Counsel for the respondents.

6. Initially, the applicants were working in NSO/BNP and thereafter, they were transferred on permanent basis to the CDA. The entire service is treated as one, without any break. It is not in dispute that the applicants were extended the benefit of 1st ACP while they were working in NSO/BNP. However, without being aware of that, the CDA has granted the benefits of ACP and MACP as though the applicants were not extended the benefit at all. Once they realized and noticed that the applicants were already extended the benefit for the service in NSO/BNP, that part of it was withdrawn. No illegality can be said to have taken place. An employee cannot have the benefit of an ACP more than once, for the same length of service.

7. We do not find any merit in the OAs and the same are accordingly dismissed.

8. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN