

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

(2)

O.A. NO. 617/2001
M.A. NO. 538/2001

New Delhi this the 13th day of March, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER (A)

1. CPWD Non-gazetted Office Staff Association through General Secretary, Y-Shape Building, IP Bhawan, IP Estate, New Delhi-110002.
2. J.N. Antil, Office Supdt., Co-ord Circle (Elect), CPWD, IP Bhawan, New Delhi-110002. Applicants

(By Shri G.K. Aggarwal, Advocate)

-versus-

1. Union of India through Secretary, Ministry of Urban Development & Poverty Alleviation, Nirman Bhawan, New Delhi-110011.
2. Director General (Works), Central Public Works Department, Nirman Bhawan, New Delhi. Respondents

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

MA No. 538/2001 for joining together in a single application is granted.

The case made out by the CPWD Non-gazetted Office Staff Association, applicant No.1 herein, is summarised in paragraphs 4.03 and 4.04 of the OA which recite as under :

"4.03. Some time in 1993-94, respondents initiated a cadre-review of AEs, AEEs, EEs, SEs, CEs, Additional Directors General in CPWD. The Association wrote to respondents that they ought to carry out a corresponding

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cadre-review of Office Staff cadres also and ought to consider extending the Office Staff cadre beyond OSs by creating promotional gazetted officer cadre of Administrative Officers. Respondent-2 in its response A/1 dt. 28.03.1994 stated :

"ii) Some of the recommendations made by the Cadre Review Committee for Group 'C' posts are based on the overall framework of the proposals made for the two Group 'A' Engineering Services in the CPWD and these proposals are separately under consideration of the Government. The need for creation of certain posts like Administrative Officers and Head Clerks for the new Chief Engineers' offices would arise only after the new Chief Engineers' offices are created based on the Group 'A' Cadre-Review proposals in respect of Engineering staff. A final decision on this recommendation can, therefore, be taken on the cadre-review proposals made in respect of Group 'A' Engineering Services."

4.04. Pursuant to Cadre-Review dt. 12.07.1995 in Group 'A' Engineering Services, new units were opened vide No. 2/10/95-WH(DGW), dt 24.08.1995: Office Order: 183 of 1995 (annex-A/3). However, corresponding action to create posts of Administrative Officers has not todate been taken despite repeated representations/meetings."

2. Applicants have made the following prayer in the OA :

"Call for relevant records, direct respondents to examine creation of posts of Administrative Officers in CPWD Office Staff Cadres corresponding to the Cadre-Review of Group 'A' Engineering Services in CPWD and consequent creation of new Units vide A/3 and later too and, if respondents decided to create posts of AOs after such examination, the posts of AOs (gazetted) be directed to be created within three months after receipt of copy of the final order in this OA, and filled immediately thereafter, grant any other relief, with costs. The respondents be directed to pass speaking orders."

3. Having regard to the aforesaid prayer made as also the assurance extended in the communication of

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respondent No.2 dated 28.3.1994, we find that interest of justice will be met by disposing of the present OA with a direction to respondents to consider the aforesaid prayer and pass appropriate orders in accordance with law. This be done expeditiously and within a period of three months from the date of service of this order. We direct accordingly.

(Govindan S. Tampl
Member (A)

(Ashok Agarwal
Chairman

/as/