

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.1654/98

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Shri Govindan S. Tampi, Member(A)

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New Delhi, this the 25th day of September, 2000

Shri S.C.Saraswat
s/o Late Shri L.D. Saraswat
Stenographer
Coaching-cum-Guidance Centre
for SC/ST
(DGET, Min. of Labour)
14, Daryaganj, New Delhi-2.

.. Applicant

(By Shri R.K.Shukla, Advocate)

Vs.

Union of India through

1. Secretary
Ministry of Labour
Shram Shakti Bhavan
Rafi Marg
New Delhi - 1.
2. Director General of Employment
& Training
Shram Shakti Bhavan
Rafi Marg
New Delhi - 1.
3. Director
Employment Exchanges
DGET, 3/10, Jam Nagar House
New Delhi - 2.

.. Respondents

(None)

O R D E R (Oral)

By Justice Rajagopala Reddy:

Heard the counsel for the applicant. None appears for the respondents either in person or through their counsel even on second call.

2. The applicant who has been appointed as Stenographer in 1974 in the Ministry of Labour in the grade of Rs.1200-2040, is still continuing in the same grade and is thus being stagnated without any promotional avenues. Learned counsel therefore contends that the Recruitment Rules pertaining to the

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applicant are vitiated as they do not provide for promotional avenues and that a direction should be given to the respondents to consider for amendment of the Rules to provide promotional avenues to the category of Stenographers.

3. In our view, the Recruitment Rules cannot be held invalid only on the ground of not providing any promotional avenues. In order to accommodate the employees who have stagnating for quite some time a scheme called ACP has been evolved by the Fifth Central Pay Commission which has been accepted by the Government in 1998. According to the said Scheme, the applicant is entitled for promotion for every 12 years of service. Applying the said scheme to the applicant he is entitled two promotions as he has completed more than 24 years of service in the same grade.

4. We therefore direct the respondents to consider the case of the applicant for granting the benefits in accordance with the ACP Scheme by giving two promotions, within a period of two months from the date of receipt of a copy of this order. The OA is accordingly disposed of. No costs.

(GOVINDAN S. TAMPI)
MEMBER(A)

(V. RAJAGOPALA REDDY)
VICE CHAIRMAN(J)

/RAO/