

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA NO. 1909/98

(9)

New Delhi, this the 29th day of September, 2000

HON'BLE MR. JUSTICE V.RAJAGOPALA REDDY, VICE CHAIRMAN (J)
HON'BLE MR. GOVINDAN S. TAMPI, MEMBER (A)

In the matter of:

Bhagat Ram
Area Project A/C.
(Accountant)

Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi. Applicant
(By Advocate: Sh. I.N.Jha Not present)

VS.

Union of India
through

Secretary (F.W), Ministry of Health
and Welfare, Nirman Bhawan,
New Delhi.
(By Advocate: Sh. S.M.Arif)

ORDER

By Mr. Govindan S. Tampi,

None present for the applicant. Sh. S.M.Arif represents the respondents. However, as this is an old case pending from 1998, we had decided to dispose of the matter basing on records, in terms of Rule 15 of the CAT (Procedure) Rules.

2. In this case the encadrement for the post of the Accounts Officer in the Department of Family Welfare to CCAS is being challenged.

3. The applicant who had been working as the Accountant in the Central Health Transport Organisation under the Ministry of Health and Family Planning, was absorbed in the Department of Family Welfare on 23.4.1982 as Jr. Accountant and was promoted as Accountant in April 1999. In terms of model Recruitment Rules issued by Department of Personnel & Training, an accountant with 5 years of service could be considered for promotion to the post of Accounts Officer.

V

Keeping that in mind, he has made a representation on 6.5.98 that the post of Accounts Officer may not be encadered but that recruitment rules should be suitably amended so that he can be considered for promotion. He followed it up with another representation dated 28.7.1998. D.O.Letter No. A-12025/4/93-Estt. dated 7.9.98 from the Department of Family Welfare to the Controller General of Accounts, Department of Expenditure, Ministry of Finance, proposed for the encadrement of the post of the Accountant in CAS alongwith the applicant's absorption in the same. The applicants says that this encadrement of the post would hurt him in that he would be juniormost person and his promotion prospects would be adversely affected. He also feared that the encadrement would result in people from other organisations coming and occupying the post of Accounts Officer in his own Ministry. Hence, this application.

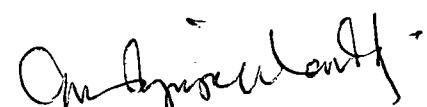
4. Replying on behalf of the respondents, Sh. Arif, the learned counsel indicates that following the departmentalisation of Accounts, responsibility for maintenance of Accounts as well as looking after receipt and payments functions had devolved on the CGA organisation and therefore the most of the Accounts posts have already been encadred. A few remaining ones also would have to be so encadered, in terms of recommendation by a highpowered Committee and in tune with an assurance given in the Parliament. The encadrement of the post of the Accounts Officer to the Department of Family Welfare in the Central Civil Accounts Service, directed under the letter 10.9.97 was in pursuance of the same and there was no reason to interefere with it.

11

5. We have carefully considered the matter. The monitoring of the maintenance of Accounts in all the Ministries, has been placed with the organisation of the Controller General of Accounts and therefore all the posts dealing with the Accounts have been duly encadred with them. The encadrement of the post of the Accounts Officer in the Department of Family Welfare was only the logical corollary of such an arrangement and this policy decision in this regard and does not merit to be interfered with. Even otherwise in terms of the recruitment rules the post of Accounts Officer in Department of Family Welfare is to be filled by transfer on deputation from the rank of Accounts Audit Officers failing which from SAS Accountants with 5 years service in any of the organised Accounts departments. The applicant therefore does not have any vested right to be promoted as Accounts Officer in the Department of Family Welfare. In fact, the encadrement of the post and the absorption of the applicant in the CCAS scheme would give him better promotional avenues as it would give him opportunities to move to other organisations as well. In the circumstances we are convinced that the applicant has not made any case which warrants our interference.

6. In the result, the application which is devoid of any merit is dismissed. No costs.


 GOVINDAN S. TAMPI)
 Member (A)


 (V.RAJAGOPALA REDDY)
 Vice Chairman (J)

'sd'