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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 178/96

New Delhi: this the 6th day of August, 1996.

HON'BLE MR. S. R. ADIGE MEMBER (A).

HON'BLE DR. A. VEDAVALLI, MEMBER (J).

Shri S. K. Pandey,
Deputy Advisor (Labour Welfare),
Department of Economic Affairs,
Ministry of Finance,
New Delhi - 110001.

2. Shri G. P. Bhatia,
General Secretary of the Association
of Officers of Central Labour Service,
Civilian Labour Officer,
Engineer Stores Depot,
Delhi Cantt - 110010.

3. Association of officers of Central
Labour Service,

represented by Sh. G. P. Bhatia,
General Secretary,
C.L.O., Engineer Stores Depot,

Delhi Cantt - 10

By Advocate: Shri G. P. Bhatia

..... Applicants.

Versus

1. Union of India,
through the Secretary,
Ministry of Labour,
Government of India,
Shram Shakti Bhawan,
Rafi Marg,
New Delhi - 110001.

2. The Secretary,
Ministry of Personnel
Public Grievances & Pension,
Govt. of India,
New Delhi - 110001.

3. The Secretary,
UPSC
Dholpur House,
New Delhi - 110011

..... Respondents.

By Advocate: Shri M. K. Gupta

JUDGMENT

BY HON'BLE MR. S. R. ADIGE MEMBER (A).

In this application, Shri S. K. Pandey and
others have sought a direction that ^{as} applicant No. 1
Shri S. K. Pandey is superannuating on 31.12.96,
Respondent No. 1 be directed to order his regular

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promotion/confirmation in C.L.S. Gr.IV and III with all consequential benefits within three months and services of other adhoc promotee officers in Gr.IV and Gr.III in similar cases be regularised by Respondent No.1. It has also been prayed that the service in various grades of C.L.S. rendered on adhoc basis be counted as regular service and that officers with adhoc service experience be considered for promotion to post of Welfare Commissioner(HQ) director Training and CDC by counting adhoc service as regular services.

2. From paragraph 7 at page 3 of reply of Respondents 1 and 2 it appears that after completing all the relevant documents, the same were sent to UPSC (Respondent No.3) ^{on 4.8.95} for convening of DPC meeting for promotion in Gr.IV of C.L.S. on regular basis. It is stated that since the quantum of work involved was substantial, due to backlog of vacancies & ACRs in respect of a large number of eligible officers not being presently available, it has not been possible to hold the DPC meeting so far. It is further stated that all consequential action depends on the same.

3. No reply has been filed by Respondent No.3 (UPSC) to controvert the above assertions and none appeared on their behalf when this case was heard on 9.7.96, although notice has been served upon them vide service ^{return} of ~~notice~~ on record. On that date applicants' counsel Shri G.P.Bhatia, as well as counsel for Respondents No.1 and 2 Shri M.K.Gupta were heard.

3. Accordingly we dispose of this OA with a direction to the Respondents, with particular reference to Respondent No.3 (UPSC) to convene the DPC as expeditiously as possible and preferably within 3 months from the date of receipt of a copy of this judgment, to consider the cases of regular promotion in C/S Gr. IV in accordance with law, and based upon the DPC's recommendations, take further consequential action in the matter in the light of the relevant rules and instructions on the subject. No costs.

A. Vedavalli

(DR. A. VEDAVALLI)
MEMBER (J)

S. R. Adige
(S. R. ADIGE)
MEMBER (A).

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