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Central Administrative Tribunal, Principal Bench

Original Application No. 2627 of 1996

New Delhi, this the 31st day of July, 2000

Hon'ble Mr. Justice Ashok Agarwal Chairman  
Hon'ble Mr. V.K. Majotra, Member (Admnv)

1. All India M.E.S. Clerical Cadre And Group 'D' Employees Association (recognised by Govt. of India) Through it's Secretary (Gen.) D.C. Bahukhandi, C/o CE Delhi Zone, Delhi Cantt-10.
2. Charan Singh, Safaiwala (MES 169557), S/o Shri Chadur, working in the Office of the Chief Engineer Military Engineering Services, Delhi Zone, New Delhi.
3. Siya Ram, S/o late Shri Shankar Lal, working as Peon (No. 6691), in the office of the Chief Engineer, Delhi Zone, New Delhi.
4. Ram Phal S/o Sh. Sanwalia (MES 310703), Gardner (Mali), Office of the Garrison Engineer, North Palam (AF), Delhi Cantt.
5. B.R. Sharma S/o Shri Ruldu Ram, Daftry (MES No. 305927), Office of the Chief Engineer, Delhi Zone (MES), Delhi Cantt.
6. Om Prakash S/o Sh. Murari Lal, Record Keeper (MES 425044), Office of the Chief Engineer, Ministry of Defence, (MES), Delhi Zone, Delhi Cantt.
7. Gopi Chand S/o Shri Bhagwana, Chowkidar (Guard) (MES No. 312118), Office of the Chief Engineer, Military Engineering Services, Delhi Zone, Delhi Cantt. - Applicants  
(By Advocate Shri A.K. Bhardwaj through proxy counsel Shri M.K. Bhardwaj)

Versus

1. Union of India, through the Secretary, Ministry of Defence, Govt. of India, Central Secretariat, South Block, New Delhi.
2. The Secretary, Ministry of Finance, Govt. of India, Central Secretariat, New Delhi.
3. The Engineer in Chief, Military Engineering Services, Kashmir House, Army Headquarters, New Delhi-11.
4. The Chief Engineer, Military Engineering Services, Ministry of Defence, Delhi Zone, Delhi Cantt. - Respondents  
(By Advocate Shri R.P. Aggarwal)

O R D E R (Oral)

By Justice Ashok Agarwal, Chairman.-

Applicant no. 1 is a Group 'C' & 'D' employees association. It has its members Group 'D' staff, i.e. who are

Peon, Safaiwala, Chowkidar, Gardner, Record Keeper, Daftry etc. in the Military Engineering Services, Ministry of Defence. By the present OA the applicants contend that there are no promotional avenues for aforesaid Group 'D' staff. They seek a direction to the respondents to frame a scheme to provide them promotional avenues.

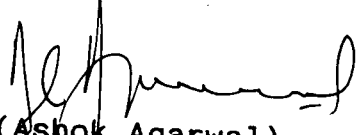
2. Aforesaid claim of the applicants is resisted by the respondents by denying that there are no promotional avenues. The applicants' claim that Group 'D' employees are stagnating at the entry grade is also denied by the respondents. It is pointed out that a scheme for their promotion has already been framed way back in 1991 vide Annexure-R-1. It is further pointed out that Peons are in direct line of promotion as Daftari, which is a higher post. Peons can also be promoted as Record Keeper directly after passing the requisite departmental test. Chowkidars and Safaiwala who qualify the trade test as per recruitment rules of Mates are eligible for promotion as Mates. Peons, Chowkidars and Safaiwala are also eligible for promotion as LDCs against 10% vacancies if they possess the eligibility criteria provided in the recruitment rules of LDCs. In addition all Group 'D' employees, who have not been promoted on regular basis are granted at least one promotion in their career in terms of OM No.10(1)/E-III/88 dated 13.9.1991 issued by Ministry of Finance, Department of Expenditure. One time Promotion is being given to eligible employees by conducting necessary tests by Departmental Promotion Committee under scheme dated 18.8.1992 (Annexure-R-2). Further more an Assured

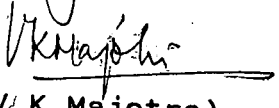
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Career Progression Scheme has also been framed on 9th August, 1999, which provides for two financial upgradation as recommended by the Fifth Pay Commission. Orders of promotion have already been issued on 17th April, 2000 promoting 183 peons to the scale of Rs. 2610-3540/ Rs. 2750-4400. 30 Daftaries have been upgraded from the scale of Rs. 2610-3540 to Rs. 2750-4400 vide order dated 7th April, 2000. The recruitment rules have also been suitably amended vide SRO No. 122 dated 13th July, 1999.

3. If one has regard to afore-stated facts, we find that the reliefs which have been claimed have already been granted. Present OA in the circumstances is disposed of with no order as to costs.

  
(Ashok Agarwal)  
Chairman

  
(V.K. Majotra)  
Member (Admnv)

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