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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No. 626/96

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE SMT. SHANTA SHAstry, MEMBER(A)

New Delhi, the 6th day of December, 1999

1. Sh. Inder Singh S/o Sh. Ram Swroop
Aged about 49 years
Central Sheep Breeding Farm
Min. of Agriculture & Irrigation
Department of Agriculture
Hisar - Haryana
2. Sh. Bhola Ram S/o Sh. Ram Kishan
Aged About 49 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)
3. Sh. Krishna Ram S/o Sh. Madu Ram
Aged About 49 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)
4. Sh. Mool Chand Sharma S/o Sh. Mohan Lal Sharma
Aged About 54 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)
5. Ram Kishan S/o Sh. Sukhi Ram
Aged About 45 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)
6. Sh. Mai Ram S/o Sh. Lekh Ram
Aged about 44 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)
7. Kali Ram S/o Sh. Pokar Singh
Aged About 50 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)
8. Ram Kumar S/o Sh. Jai Lal
Aged About 42 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)
9. Ram Prakash S/o Sh. Ram Narayan
Aged About 48 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)

10. Sh. Rekhi Ram S/o Sh. Surjan Singh
Aged About 50 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)

11. Sh. Ram Singh S/o Sh. Rati Ram
Aged About 40 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)

12. Sh. Dalip Kumar S/o Sh. Yad Ram
Aged About 41 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)

13. Ram Phal S/o Sh. Prithbi Singh
Aged About 38 years
CSBF, Min. of Agriculture & Irrigation
Department of Agriculture
Hisar (Haryana)Applicants

(By Advocate: None)

Versus

Union of India Through

1. Secretary, Ministry of Agriculture
Husbandry & Dairying
Department of Agriculture
Krishi Bhavan, New Delhi

2. Director, Central Sheep Breeding Farm
Post Box No.10, Hisar (Haryana) ...Respondents

(By Advocate: None)

O R D E R (ORAL)

Hon'ble Smt. Shanta Shastray, Member(A)

None is present on behalf of the applicants or the respondents. Since this matter pertains to 1996 and it was posted for expeditious disposal, we are deciding this matter ex-parte on merits.

2. The applicants are working with the respondents as Mechanics, Machine Man, Electrician, Jeep Driver, Tractor Driver-cum-Mechanic and Tractor Helper. The main grievance of the applicants is that they have not got

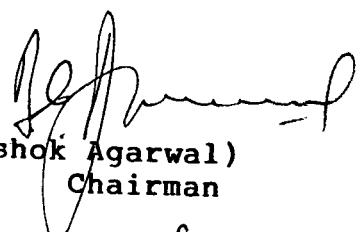
promotions since the last 15-25 years. They made a number of representations to the respondents but to no avail. The respondents informed them vide their letter dated 14.11.95 expressing helplessness in granting selection grade on the ground that the Pay Commission had recommended that selection grade should not be continued for posts in Group 'C' and 'D'. This recommendation had already been accepted by the Government. The applicants have, therefore, approached this Tribunal with the pre-prayer that the Tribunal may quash and set aside the letter dated 14.11.95 of the respondents and direct the respondents to devise a scheme for providing promotion avenues and upgrade pay structure as has been done in the case of staff car drivers with specific time frame for promotion and upgradation.

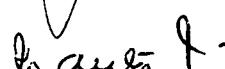
2. The respondents in their counter have stated that the Government of India had introduced a scheme of carrier advancement of Group 'C' and 'D' employees on 13th September, 1991 whereby subject to certain conditions the Group 'C' and 'D' employees become eligible for in situ promotion to the next higher grade. One of the conditions is that Group 'C' and 'D' employees should have stagnated at least for one year at the maximum of the pay scale. The contention of the respondents is that except Electrician and Tractor Helper, no other applicants were stagnating at the maximum of their pay scales of initial appointments. The respondents have also said that providing of promotional avenues by giving in-situ promotions have already been given due consideration and they will be allowed facilities as and when they are eligible for the same.

In view of the averments made in the counter, the applicants should be considered for promotions in the light of the Government of India instructions dated 13.9.1995 according to their turn.

3. The Fifth Central Pay Commission has recommended "Assured Career Progression Scheme for Central Government Civilian Employees". The Central Government have accepted the recommendations with certain modifications and have issued necessary orders for implementation on 9th August, 1999. According to us this scheme would take care of the grievance of the applicants. We, therefore, direct the respondents to consider the request of the applicants for promotional avenues in the light of the recommendations of the Fifth Pay Commission, as accepted by the Government of India vide O.M. dated 9th August, 1999 of the Ministry of Personnel, Public Grievances and Pensions.

4. The O.A. is accordingly disposed off with no costs.


(Ashok Agarwal)
Chairman


(Smt. Shanta Shastry)
Member (A)

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