

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH : NEW DELHI

O.A. NO. 100 OF 1997

New Delhi; this the 27th day of MARCH, 2001.

1. Shri Mahesh Chand Sharma,

S/o Shri K.L. Sharma,

R/o C-11/40, Sector 5,

Rohini,

DELHI.

2. Ms. Kamlesh Kandpal,

W/o Shri K.K. Kandpal,

R/o 649, Sector 1, R.K. Puram,

NEW DELHI.

3. Shri Sunil Dawar,

S/o Late Shri K.D. Dawar,

R/o A-205, Kidwai Nagar (East)

NEW DELHI.

4. Shri R.K. Kapil,

S/o Shri Dhani Ram,

R/o 73, Pocket III, Sector 2, Rohini,

DELHI.

5. Shri Rakesh Kumar,

S/o Late Shri O.P. Bhardwaj,

R/o 142, Shakti Vihar,

DELHI.

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6. Shri Jasbir Singh Ahlawat,
S/o Shri S.S. Ahlawat,
R/o 102-C, Mianwali Colony,
GURGAON (Haryana)

7. Shri Sunil Kumar,
S/o Late Shri R.C. Sharma,
R/o 439, Gali Shish Mahal, Sita Ram Bazar,
DELHI.

8. Ms. Madhu Deepani,
W/o Shri Ashok Deepani,
R/o 9957, Nawab Ganj, Azad Market,
DELHI.

9. Shri Sanjay,
S/o Shri C.L. Verma,
R/o 38/F-2, Dilshad Garden,
DELHI.

10. Shri Pawan Kumar,
S/o Shri D.V. Singh,
R/o L-534, Sanjay Nagar,
GHAZIABAD (U.P.)

11. Shri Mohan Singh,
S/o Shri Kamal Singh Bisht,
R/o 1400, Laxmi Bai Nagar,
NEW DELHI.

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12. Shri Ravi Kumar,
S/o Late Shri Ishwar Chandra,
R/o A-4-C-76, Janakpuri,
NEW DELHI.

13. Ms. Madhu,
W/o Shri Yashwant Kumar,
R/o Plot No. 4, GH-5 & 7, Paschim Vihar,
NEW DELHI.

14. Shri Anil Kumar,
S/o Shri Mukandi Lal,
R/o B-20, Sanjay Enclave, Uttam Nagar,
NEW DELHI.

15. Shri S.K. Maurya,
S/o Shri Ganga Prasad Mauryas,
R/o H.No. G-108, Vikas Gali, Jagatpuri,
DELHI.

APPLICANTS

(By Advocate: Shri G.D. Gupta)

1. Union of India through
the Secretary to the Govt.
of India,
Ministry of Defence,
South Block,
New Delhi.

2. The Joint Secretary (Training) and
Chief Administrative Officer,
Ministry of Defence,
Govt. of India,
C-II, Huments,
Dalhousie Road,
New Delhi.

..... Respondents.

(By Advocate: Shri S.M. Arif)

HON'BLE MR. S.R. ADIGE VICE CHAIRMAN (A)

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

ORDER

S.R. Adige, VC (A):

Applicants impugn respondents' letter dated 6.12.94 (Annexure-A1) to the extent it lays down that such of the Computers/Data Entry Operators, Grade-A, who were graduates and had 6 years' service or more as on 11.9.89 or non-graduates with 12 years' service or more as on 11.9.89 would be placed in the scale of Rs.1350-2200 (Data Entry Operator Grade-B) w.e.f. 11.9.89 and seek a declaration that applicants are entitled to be promoted as Data Entry Operator Grade-B (Rs.1350-2200) in accordance with Finance Department's Memo dated 11.9.89 (Annexure-A3) with effect from the date they became entitled with all consequential benefits.

2. We have heard both parties.

3. The impugned order dated 6.12.94 (Annexure-A1) makes it clear that the impugned placements were a one time measure and all future recruitments/appointments,

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as and when necessary, will be made in accordance with relevant recruitment rules to be framed as per the model recruitment rules laid down by DOP & T's guidelines dated 12.9.93 prescribed by Defence Ministry.

4. Our attention has been invited to the recruitment rules which have since been framed for the Data Entry Operator Grade-B in respondents Organisation and were notified on 17.2.99, a copy of which has been taken on record.

5. In the light of the above, the impugned placements are no longer operative, and placements ^{now} in pay scale of Rs. 1350-2200 for DEO Grade-B have to be made in accordance with aforesaid RR's notified on 17.2.99.

6. As these recruitment rules have replaced the impugned placements contained in respondents' letter dated 6.12.94 which were a one time measure and the RR's themselves have not been challenged, the OA warrants no interference and it is dismissed. No costs.

A. Kedavalli
(DR. A. VEDAVALLI)
MEMBER (J)

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(S. R. ADIGE)
VICE CHAIRMAN (A)

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