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Central Administrative Tribunal
Principal Bench

O.A. No. 1184 of 2000

New Delhi, dated this the 10th January, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri Chander Bhatia,
S/o Shri Hardayal Bhatia,
R/o D-34, Ajay Enclave,
New Delhi-110018.

.. Applicant

(By Advocate: Shri S.K. Gupta)

Versus

1. Union of India through
the Secretary,
Ministry of Culture,
Shastri Bhawan, New Delhi.

2. Director General,
Archaeological Survey of India,
Janpath,
New Delhi-110011.

.. Respondents

(By Advocate: Shri R.P. Aggarwal)

ORDER (Oral)

S.R. ADIGE, VC (A)

Applicant seeks a direction to consider his case for grant of the benefits contained under the ACP Scheme as outlined in Respondents' O.M. dated 9.8.99, either by conducting organisational study/cadre review or to grant the benefits contained in Para 3.1 of the aforesaid Scheme.

2. We have heard applicant's counsel Shri Gupta and respondents' counsel Shri Aggarwal.

3. In so far as the application of O.M. dated 9.8.99 is concerned, respondents have stated in their reply that the ACP is not applicable to Group 'A' Central Services and hence it is not possible for

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them to extend the benefits of the O.M. to applicant.

4. Respondents, however, do not deny that the overall conditions of the existing Group 'A' service of ASI which do not have due promotional prospects are to be reviewed and processed in consultation with the concerned Ministries including Ministry of Finance, but state in their reply that since it is a policy matter, it is not possible to give a time frame for this decision and for a particular individual such as applicant.

5. During hearing shri Aggarwal states that atleast three years would be required for conclusion of the aforesaid cadre review.

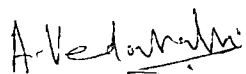
6. We note that applicant is to superannuate on 30.11.2001 and in the light of the fact that Respondents themselves aver that the conditions of existing Group A posts in ASI which do not have due promotional prospects require to be reviewed, we call upon respondents to initiate such review as expeditiously as possible and make suitable efforts to ensure that the aforesaid review is concluded by the end of the current year.

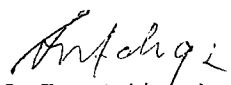
7. Meanwhile our attention has also been invited to DOPT O.M. dated 20.12.2000 modifying the earlier O.M. dated 6.6.2000, by which the Asst. Executive Engineer and equivalent such as applicant has been made eligible for consideration for promotion to the grade of Executive Engineer and

equivalent in the scale of Rs.10000-15200 on completion of four years regular service in the scale of Rs.8000-13500.

8. Respondents are also called upon to examine the applicability of the aforesaid O.M. to the facts and circumstances of the present case by means of a detailed and speaking order under intimation to applicant within three months from the date of receipt of a copy of this order.

9. The O.A. stands disposed of in terms of Paras 6, 7 & 8 above. No costs.


(Dr. A. Vedavalli)
Member (J)


(S.R. Adige)
Vice Chairman (A)

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