

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO.574/2000

New Delhi this the 21th day of December, 2000

Hon'ble Shri V.K. Majotra. Member (A)  
Hon'ble Shri Shanker Raju, Member (J)

Shri P.C. Joshi  
Skilled Worker Gr. 1,  
Small Industries Service Institute,  
Extension Centre, Balsahyog,  
Connaught Circus, New Delhi.

-Applicant

(By Advocate: Shri D.S. Mahendru)

Versus

Union of India, through

1. Secretary,  
Ministry of Industry,  
Udyog Bhawan, New Delhi.
2. The Director,  
Small Industries Service Institute,  
Okhla Industrial Estate, New Delhi.
3. The Assistant Director  
SISI Extension Centre, Balsahyog,  
Connaught Circus, New Delhi.

-Respondents

(By Advocate: Shri Rajinder Nischal)

ORDER (Oral)

Shri V.K. Majotra, Member (A)

This application is filed against respondents' action in not granting insitu promotion to the applicant in spite of his claim to the same w.e.f. 1.2.98. According to the applicant he was appointed as a Skilled Worker on purely ad hoc basis w.e.f. 1.2.75 in the revised pay scale of Rs. 380-560. With effect from 1.2.97, he is holding the same post as Skilled Worker Grade-I in the present scale of Rs. 4000-6000. According to the applicant, he has never got any promotion in his service and having reached the maximum of the scale he is entitled to grant of insitu promotion w.e.f. one year from his reaching the maximum of the scale i.e. 1.2.98.

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2. In their counter the respondents have stated that though the applicant was initially recruited as a Mechanic in SISI, subsequently he had been promoted to the post of Skilled worker Grade-I (Presently Rs. 4000-6000) on ad hoc basis with effect from 23.4.85 on the recommendation of a DPC. From R-II dated 1.2.75, it is clear that the applicant was appointed as Mechanic on purely ad hoc basis as Skilled Worker w.e.f. 1.2.1975. The learned counsel of the respondents has produced the Service Book of the applicant indicating that the applicant was appointed as Skilled Worker purely on ad hoc basis w.e.f. 1.2.1975. Later on vide Memorandum dated 1.5.1985, the applicant was regularised on the post of Skilled Worker Grade-I w.e.f. 23.4.1985 (Annexure R-III). From the Service Book also, we find that the applicant had never been promoted. He was only regularised in the post of Skilled Worker Grade-I w.e.f. 23.4.1985.

3. In the light of the above facts and circumstances, we find that the applicant is entitled to the grant of insitu promotion w.e.f. 1.2.98 i.e. one year after the date of reaching the maximum of his present scale in terms of OM dated 13.9.91 (Annexure A-1). Accordingly the respondents are directed to consider the applicant for grant of in-situ promotion in the higher pay scale w.e.f. 1.2.98 with consequential benefits. No costs.

S. Raju  
(Shanker Raju)  
Member (J)

V.K. Majotra  
(V.K. Majotra)  
Member (A)

cc.