



**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No.2676/2018
MA No. 2996/2018**

This the 18th day of January, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Maj ReenaGoswami, Aged 41 years, Group 'A'
NCC/GD/PC-12520X
D/O Late Shri Sher NathGoswami
1 Guj Girls BnNCC , NCC Complex,
1st Floor Law Garden,
Near Ellis Bridge Ahemdabad 380006.
2. CaptBhawanaTripathi, Aged 35 years,
NCC/GD/PC-12579X
D/O Mr B C Lohani W /O Mr Pradeep Tripathi
6 gujarat Girls BnNCC,
A/8, Bahumali ,Nanpura Surat.
3. CaptManjeet Kaur, Aged 40 years,
NCC/GD/PC-12604L
D/OShriGurmail Singh W/O Yashpal
3 Gujarat Girls Bn NCC OppGulistaaRoad ,Attabhai,
Bhavnagar-3 64002.
4. CaptSwati Pandey NCC/GD/PC-12553H, Aged38 years
D/O Sh. Hari Kant Pandey W /OMajPranav Kumar 2
Gujarat Girls Bn NCC DH College Hostel Building, Rajkot,
Gujarat- 360001.
5. Capt Aditi Singh · PC-12559 , Aged 41 years
D/O Mr K KSingh .
5 Raj girls bn NCC, Rana Sanga NCC bhawan, Saheli
Road,Udaipur,Rajasthan-01 ~



6. Capt. Nishtha Sharma PC-12578P, Aged 35 years
D/O Shri Gopal Krishan Sharma .
3 Raj Girls Bn NCC Govt Naveen Sen Sec School I Floor
Mohan Pura Puliya , Sojati Gate , Jodhpur.
7. Capt. Chhavi Sood, Aged 37 years
NCC/GD/PC-12564P
D/O Mr Bhim Singh Indora
W /O Mr Rohit Sood
1 Raj Girls Bn NCC, JLN Marg, Jaipur RIO 1 Raj Girls Bn
NCC, JLN Marg, Jaipur
8. Capt Mamta Shankar , Aged 37 years
NCC/GD/PC-12587\ V
W/O Mritunjay Kumar 7 Raj Girls Bn NCC NCC Complex
Umed Bhawan Railway Station Road Kherli Phatak Kota-
324001.
9. Capt Shweta Singh, Aged 36 years
NCC/GD/PC-125 69N
D/O Mr Shri Chandrabhan Singh
W/O Lt Col Rahul Ranjan Bharti 7 Delhi Girls Bn NCC Old
Rajdhani College Building Kirtinagar Delhi 110015.
10. Capt Meenu Tomar NCC/GD/PC-12585L, Aged 35 years
D/O Sh. VS Tomar W/O Mr. Naveen 1 Del Girls Bn
NCCR/0 25/3 Shikarpur Compound,
Bulandshahr-2013001, U.P.
11. Capt Alpana NCC/GD/PC-12561F, Aged 36 years
D/O Mr Vinay Prakash W /O Maj Radhakrishan,
1 Naga girls bn ncc Kzeike colony near teen
pattikohimanagaland · 79700 1 .
12. Capt. Shivali Srivastava Aged 35 years
NCC/GD/PC-12570H ,
D/O Mr Lalji Srivastava W/O Lt Cdr Anshu Deep 28 UP
Girls Bn NCC Varanasi

13. CaptJyotiChoudharyAged38 years
NCC/GD/PC-12581P
D/o Mr DL Chaudhary W/o Mi Ashish Aggarwal 8 UP
Girls Bn NCC 202 Birdwood Line Bareilly Cantonment
Bareilly 243001
14. CaptAvinashiPatwaAged 38 years
1 NCC/GD/PC-12577
D/o Mr.Narender Kumar Sood 22 UP Girls BN NCC 270 A
Bridge Street Razban Meerut Cantonment 250001 U.P
15. Capt"Shashi Singh, Aged 37 years
NCC/GD/PC-12599 D/o Late MrHukum Singh 1 UP Girls
Bn NCC 9 AFMC road Baluganj,
Agra UP - 282001
16. CaptPramilaSingh ,Aged 35 years
CC/GD/PC-12598H
D/o ShriramChoudhary 4 UP Girls BnNCC,Civillines,
Bargadiyaghat, Fatehgarh
17. Capt Poonam Ekka ,Aged 37 years
NCC/GD/PC-12609K
D/o Mr-Carolus Ekka
W/o MrAjit Albeit Minj 61 Meghalaya Girls Bn NCC
OppShillong Public School ,LaitmukhrajhShillong -793003
18. CaptEktaJaiswalAged35 years
NCC/GD/PC-12568L
D/o Mr R K Jaiswal W/o Mr Rajeev Jaiswal
62 Assam Girls Bn NCC GC college Road,Cachar, Silchar
19. CaptAmanPreet Kaur, Aged 39 years
NCC/GD/PC-125 84H
D/o Avtar Singh W/o Amarjeet Singh,
63 Assam Girls Bn NCC, Graham bazaar ,Dibrugath,
PUNJAB



20. Capt Viji IV NCC/GD/PC-12600P, Aged 35 years
D/O Mr K Vivekanandan
W/O Mr. Kamlesh R I 2 Pb Girls Bn NCC, 87
Pawar Building,
Mithapurchowk ,
Jalandhar City 144014
21. Capt Anita J ethi NCC/GD/PC-12256W, Aged 38 years
D/O Late HS Jethi W/O Major Bhanu Satyal,
4 Punjab Girls Bn NCC Patiala 147001 Punjab
22. Maj Kavita Chirag Ramdevputra, Aged 40 years
NCC/GI?/PC 12518A
W/o Chirag Maniram Ramdevputra
1 Punjab Girls Bn NCC Amritsar
2 Adarsh Nagar Ramteerath Road Punjab 143001
23. Capt Akanksha Pande Aged 35 years
NCC/GD/PC-12563M
W /O Ravi Pant 3 PB Girls Bn NCC 862/1
Krishna Nagar Ludhiyana
24. Maj Rajitha Divakaran, Aged 43 years,
NCC /GD/PC -12513F
D/o. P K DIV AKARAN
1 Chandigarh Girls Bn NCC 2nd floor near
Kendriya Vidyalaya Sector-31 Chandigarh 160030
25. Capt Subodh Shanwal, Aged 40 years
NCC/GD/PC-12526Y,
D/O Shri Sukhbir Singh Rana
W/O Mr Sunil Shanwal 1 HP Girls Bn Solan
26. Maj Savita Chillar, Aged 47 years
NCC/GD/PC-12508W
D/O late JS Lamba W /O Surender Chillar 3 Har Girls Bn
NCC Govt College for Women Opp GJU · HISAR, HARYANA
125001



27. Maj Meenakshi, Aged 41 years
NCC/GD/PC-12519H
D/O Mr Narpat Singh
W/O Mr Soumyajit Mohanty
1 Haryana Girls Bn NCC Arya Girls College 52 Staff Road
Ambala Cantonment 133001



28. Maj Deepti NCC/GD/PC-12509Y, Aged 41 years
D/O Late Shri S K Shukla
W/O Lt Col Vishnu Tiwari
1 Sikkim Girls Bn NCC, Tadong, Gangtok
29. Maj Parvin M Budhvani, Aged 42 years
NCC/GD/PC-12516P
D/O Mr Mansurali Budhvani W/O Mr Gaurav Shanna 3
Bengal Girls Bn NCC, Kalyani
30. Maj Mahuwa Bhattacharjee, Aged 44 years
NCCIGD/PC-12515M D/O Late Debadas Bhattacharjee ,
w/o Anish Bhattacharya 1 Bengal Girls Bn NCC Kolkata
31. Capt Praveen Kumari, Aged 38 years
NCC/GD/PC-12603H
D/O Shri Narpat Singh
W/O Mr Gaurav Kukreja 2 Bengal girls Bn NCC P-149 , G
Block New Alipore Kolkata
32. Capt Sonia Soni NCC/GD/PC-12590W, Aged 35 years
D/O Mr Inder Kumar Soni W/O Maj Vivek Shah
4 Bengal Girls BN NCC .PO Rabindra Sarani Bharat Nagar
Siliguri 734406 West Bengal
33. Capt Chaaya Korwal NCC/GD./PC-12557Y, Aged 37 years
W/O Sher Singh Chowdhary 7 Bengal Girls Bn NCC,
Gunjabhari
Coochbehar-736101 .
34. Maj P S urekha Rao NCC/GD/PC-12507, Aged 37 years

D/0 Col KK Rao (Retd), VSM W /0 (late) Maj PS Rao 5 Mah Girls Bn NCC, III floor , NCC Building Fort, Mumbai 400032

35. CaptRidhima Pathak, Aged 37 years
NCC/GD/PC-12551X D/0 MrViresh Singh
W/0 Mr .Nitin Pathak 1Mah Girls Bn NCC, I Floor, NCC Bulding, Fort, Mumbai.:. 400032
36. CaptMmmi Pankaj NCC/GD/PC-12575F, Aged 37 years
D/0 ShKaushlendra Kumar W/0 Mr. Sunil Kumar Pandey
3 Mah Girls Bn NCC Nagpur
37. CaptNilima Gaur NCC/GD/PC-12607Y, Aged 47 years
W/0 Mr Shiv Kumar 7 Mah Girls Bn NCC Plot No 4,
Lataktrutibldg Vishal Nagar Aurangabad- 243009
38. CaptRizuRawat NCC/GD/PC-12558F, Aged 37 years
W /0 Shri Harish Singh Bisht
D/0 Col UCS Rawat (Retd) 1 BIHAR GIRLS BN NCC, NCC BHA VAN RAJENDRA NAGAR, PATNA , BIHAR
39. CaptSeemajaiswal NCC/GC/PC- 12602A ,Aged 37 years
W/0 Mr Naval Kishore
3 Jharkhand Girls BnKhelgaon
HotwarRanchi , Jharkhand
40. Maj SripriyaGandham, Aged 41 years
NCC/GD/PC-12525 D/0 Mr G Subba Rao 1 Kar Girls
BnNCCBangalore .
41. CaptPratibhaTiwari NCC/GD/PC-12565, Aged 36 years
D/0 Dr VP Tiwari 3 Kar Girls BnNCC S-1
SaraswathipuramMysuru -570009
42. CaptGugamalathy .A ,Aged 37 years
NCC/GD/PC-1 W D/0 S Arumugachamy
W/0 V Jayakumar 4 Andhra Girls Bn NCC Polytechnic
Post , Vijayawada -520008



43. Capt Arundhati J Patel, Aged 37 years
NCC/GD/PC-12572 W /0 Chirayu Shah
2 AP Girls BnNCC ,DassannapetaVizianagaram
44. CaptDivya Sharma NCC/GD/PC-12588Y, Aged 33 years
D/OB Sharma W /0 R K Sharma 1 GOA Girls Bn NCC



45. Capt N Hauching NCC"YGD/PC-12567H, Aged 37 years
D/0 MrGinzahauNaulak ,yY/0 MrPaukhanlunVaiphei 9
Kerala Girls Bn NCC NCC New Complex Exhibition Road,
West Hill, Calicut-5
46. Capt Shashi Mehta NCC/GD/PC-12583A, Aged 37 years
D/0 Mr PS Mehta W/0 Mr. Manish Khanka,
5 Kerala Girls Bn NCC 6th Floor,
Revenue Tower,
Changanacherry 686102 Kerela.
47. Capt. YeshuMudgal,
NCC/GD/PC-12552A,Aged 36 years
D/o Shri A R Sharma, 7MP GBn NCC,
Ajmani Building, Makronia,
Saugor-MP 470004.
48. CaptTaruna, NCC/GD/PC 12582X,Aged 41 years
W/o Amit Yadav,
NCC OTA Gwalior,
Station Road, Gwalior,
R/o NCC OTA Gwalior,
Station Road, Gwalior.
49. CaptAlodiaGraciaWarjiri,Aged 36 years
NCC/GD/PC-12589F,
D/o (L) WM lyngdoh
8 CG Girls Bn NCC GoleChowk,
Opptuteja Building,
Raipur - 492010

50. Capt Priyanka Chauhan ,Aged 35 years
NCC/GD/PC 12555 N
D/o Suresh Kumar 5 TN Girls Bn Girls Bn NCC, ATT
Colony, ChintamaniComplex,Coimbatore

51. CaptPratima Nagar, Aged 35 years
NCC/GD/PC-12593K,
D/0 Mr RPS Nagar W /0 Mr Amit Verma 1 TN Girls Bn
NCC Sethu House Aimex 28, DrA1agappa Road,
Purasawalkam ,Chem1ai 600084

... Applicants



(through Mr. NalinKohli and Mr. Umesh Sharma,Advocate)

Versus

1. Secretary,
Ministry of Defense,
SenaBhawan, New Delhi.

2. Director General NCC,
West Block IV,
RK Puram, New Delhi.

3. Secretary,
Department of Personnel and Training,
South Block, New Delhi.

4. Secretary,
Department of Expenditure,
Ministry of Finance,
South Block, New Delhi.

... Respondents

(through Mr. R. K. Sharma, Advocate)

ORDER (Oral)

Justice L. Narasimha Reddy, Chairman:

The applicants are the Whole Time Lady Officers (WTLO), in the NCC. This cadre was created in the year 1995 to handle the NCC units across the country. The cadre also has a hierarchy and designation apart from there being a set of recruitment rules.



2. The applicants submitted a representation on 28.05.2016 to the Secretary, Ministry of Defence, ventilating their grievances, on several issues, ranging from one of the designation of the posts to the equation with their counterparts in the Army, and for extension of benefits that are otherwise available to Group 'A' officers. Earlier, the applicants filed a Writ Petition before the Hon'ble High Court of Delhi. That was transferred to this Tribunal and re-numbered as TA No.40/2015. The TA was disposed of directing the respondents to pass orders on the representation 28.05.2016, submitted by the applicants. Stating to be in compliance with that, the respondents passed an order dated 08.03.2017. The

applicants filed this OA challenging the order dated 08.03.2017.



3. According to them, many issues raised by them were not considered by the respondents. The applicants claim the relief not only in the form of setting aside the order dated 08.03.2017, but also seek direction to the respondents, to undertake cadre review, and to extend the pay matrix on par with Group 'A' officers, on completion of 22 years of service, and to frame a policy on promotion to WTLO ranks, and on connected issues.

4. The respondents filed a detailed reply. According to them, the cadre of WTLO is unique and the incumbents thereof cannot compare themselves with the Armed Forces. It is stated that the impugned order was passed dealing with the representation

5. We heard Shri Nalin Kohli, learned counsel for applicant and Shri R.K. Sharma, learned counsel for respondents.

6. As observed earlier, the cadre of WTLO was constituted in the year 1995, obviously to encourage the entry of woman cadets into the NCC. A set of rules was also framed, to govern the conditions of service of the officers of the WTLO.



7. By its very nature, the NCC partakes the character of military officers, to certain extent and civilian officers in certain other aspects. It is almost a cadre with hybrid features. It is for the rule making authority, to define the various aspects of service. In case the members of service have any grievance regarding promotional avenues or pay structure etc., the representation needs to be made specifically dealing with the issue. The one dated 28.05.2016 submitted by the applicants is lengthy and even the ultimate request made by them reads as under :-

“14. This is a unique cadre which has been ignored by the Ministry and the concerned authorities, therefore, this being a matter of real concern and urgency, you are requested to carry out a Cadre Review of the Whole Time Lady Officers (WTLO) Cadre belonging to the National Cadet Corps and

remove the disparities which have arisen in respect of service conditions of WTLO and grant us all consequential benefits.”



8. From this, one hardly gets any idea as to what exactly was the grievance of the applicants. We are mentioning this on account of the fact that if the grievance is about the pay structure, it needs to be addressed by the Ministry of Finance, and in case it is about equation with cadres, it is dealt with by the Ministry of Defence. If, on the other hand, there are any other general issues, they need to be addressed by the DOP&T. All the grievances cannot be pushed under the carpet of cadre review. Even now, the applicants can spell out their exact grievance which needs immediate attention, instead of bundling all of them together.

9. We, therefore, dispose of the OA, leaving it open to the applicants to make a representation with reference to specific issue, without much elaboration and to the concerned Ministry. On receipt of such a representation,

the concerned Ministry shall pass orders within three months from the date of receipt of a copy of this order.

Pending MA No.2996/2018 shall stand disposed of.

There shall be no orders as to costs.



(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

lalit/rk./ankit/sd