



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

O.A. No.1332/2020

This the 21st day of September, 2020

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)

Bhartiya Defence Conservancy,
Safaikaramchari Association,
Through its Gen Secretary,
Dushyant Singh, Group -B,
S/o Shri Kripal Singh,
R/o-6/6 Jharera Village, Delhi Cantt.,
Aged – about 46 years.

...Applicant

(By Advocate: Mr. Pushpinder Yadav)

VERSUS

Union of India through

1. Secretary,
Ministry of Defence,
Through Defence Secretary,
South Block, New Delhi.
2. General Officer Commanding,
HQ, Delhi Area,
Delhi Cantt – 110010.

...Respondents

(By Advocate:Mr. Sanjeev Yadav)

ORDER (Oral)**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman:**

The applicant claims to be an association of Bhartiya Defence Conservancy Safai Karamchari. A notice was issued proposing to convene a Departmental Promotion Committee for selection of the candidates to the post of conservancy Safai Karamchari, by the General Officer Commanding, HQ, Delhi Area, the 2nd respondent herein.

2. The applicant contends that earlier, the qualification was stipulated and thereafter amended slightly. It is stated that the proposed promotion is to the post of Sanitary Mate, from the post of Conservancy Safaiwala, and though no vacancy as such exists, the respondents are trying to make selection. According to the applicant, it would become a superfluous exercise.

3. We heard Mr. Pushpinder Yadav, learned counsel for the applicant and Mr. Sanjeev Yadav, learned counsel for the respondents.



4. The respondents cannot be said to be that naive as not to be aware as to how any vacancy exists and whether the steps be initiated for promotion to the post at all. The applicant, which claims to be an association of Safaiwala, cannot find fault with the administrative exercise initiated by the respondents. At the most, they can be interested in ensuring that the promotions take place strictly in accordance with rules. There again, it is for the concerned individual to approach the Tribunal, if any selection takes place contrary to the rules.

5. We do not find any merit in the OA and the same is accordingly dismissed. There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/vb/ankit/sd/dsn